
Permit Handbook

Commonly Required Environmental Permits for Washington State

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Introduction

Overview

This Handbook in PDF format is based on the Environmental Permit Handbook web site which can be viewed online at <http://apps.ecy.wa.gov/permithandbook>. This report is regenerated weekly from an Ecology database and should contain the same information that is presented on the web site. The only difference is that this document contains all permit information listed in a single document available for download.

Permits, approvals, and other resource protection requirements are designed to balance growth, economic viability, and environmental preservation. This handbook explains the basics of the most commonly required agency resource protection requirements, with a focus on state agencies. Some federal and local requirements are also included.

Because many specialized permits are not included in this handbook, it should not be relied upon as the end-all, be-all for permit information. The agencies listed in relation to each permit should be contacted for more project-specific permit information. These agencies are eager to work with project proponents to help them determine exactly which permits are needed for a specific project.

It is important to keep in mind that the person conducting an activity is responsible for ensuring that all necessary permits are obtained. The type of impacts that a project may generate and the location of a project will determine which federal, state and/or local requirements apply. For example, certain permits will be required if your proposal involves discharges only to the air, discharges to water, or if it is located in or near water. There is an online resource called OPAS which asks a series of questions and will list permits based on answers you provide about your project. This is available at <http://apps.ecy.wa.gov/opas>.

Projects often involve a variety of natural resources requiring review by an assortment of specialists. Traditionally, separate applications and permits have been developed to address each of these special project features and natural resource functions. Agencies are working to streamline some of these processes without jeopardizing Washington's natural resources. Agencies will work with all applicants to ensure that this process runs as smoothly as possible.

Please note: For simplicity, the word "permit" is used to mean all environmental approvals such as certification, licenses, and plan and specification approvals.

Where to Start

Because almost every project will require some type of permit at the local level, local city or county offices should be contacted first. Normally, local governments will be able to identify other permits that might be required for your project. In addition to checking with your local agency, it is wise to contact various state and federal resource agencies to ensure that you are aware of all requirements.

Organization

This guide begins with a discussion of three laws that do not quite fit in the "permit" category but are very important to the permit process. Two of these laws, the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA), require evaluation of environmental impacts before permits can be issued. The third, the Growth Management Act, requires that local governments plan for growth in a way that protects the state's natural resources.

Next, specific state requirements are described, followed by a discussion of local, tribal, and federal resource protection requirements. Most of these chapters begin with an explanation of the resource or activity addressed. Because of the unique nature of the wetlands regulatory structure, permits required by federal, state, and local governments for work in or near wetlands are all located in the "Wetlands" section of the handbook.

Disclaimer

Information included in this guide is subject to change. Each legislative session, new laws are developed and old laws are altered or repealed. Changes may also occur as agencies update administrative codes, revise fees, or reorganize. This guide does not identify all requirements or describe all aspects of the listed requirements. Requirements of special districts, such as sewer and water, diking, irrigation, port districts, etc. are not addressed here. Some requirements may have been inadvertently left out and permits that would apply only in rare cases are not included. The only way to be absolutely sure about permit requirements that apply to your project is to contact the appropriate resource agencies.

Growth Management, SEPA, and NEPA

Growth Management Act

The Growth Management Act (GMA) became law in 1990. It requires all cities and counties to plan for future growth while protecting natural resources. All jurisdictions must classify and designate natural resource lands (like agricultural and forest land) and critical areas (wetlands, fish and wildlife habitat, aquifer recharge areas, etc.). These jurisdictions must also adopt development regulations such as zoning, subdivision ordinances, and other official land use controls, to protect these critical areas. Also, cities and counties cannot approve short plats or subdivisions unless adequate services are available and applications for building permits must include evidence of adequate water supply for the intended use.

In addition to the requirements described above, Washington's fastest growing cities and counties must adopt development regulations to conserve natural resource lands. These 29 counties, and cities within these counties, must establish Urban Growth Areas that can accommodate the increase in population expected to occur over the next 20 years. Comprehensive plans and development regulations consistent with these plans must also be adopted.

State Environmental Policy Act (SEPA)

The State Environmental Policy Act ensures that environmental values are considered by state and local government officials when making decisions about plans and projects. For nongovernmental projects, the SEPA process starts when a permit application is submitted to an agency. If the project is not exempt, the "lead" agency will ask the applicant to fill out an "environmental checklist." This checklist, divided into different elements of the environment such as air, water, etc., asks questions about how the project will affect these elements. Based on the answers to the checklist and the reviewer's knowledge about the project site, agency personnel will determine the types of impacts the project may have on the environment. If the project will have a "probable significant adverse environmental impact," an environmental impact statement (EIS) will be required. EISs are documents that look at potential

environmental problems that would be caused by the project, ways the project could be changed to minimize problems, and options for mitigating probable adverse environmental impacts. Most projects will not require an EIS. Instead, the agency will issue a determination of nonsignificance (DNS), which documents the agency's decision that, in their opinion, there will not be a significant adverse environmental impact. If permits are required from more than one agency, the DNS will have a 14 day comment period. For these DNSs, permit processing can proceed after the close of the comment period. A state or local agency may adopt a NEPA document as a SEPA document if the original document is found to be adequate. When both federal (NEPA) and state (SEPA) environmental documents are required, the NEPA and SEPA processes may be combined. This means that a joint state/federal EIS may be prepared to reduce duplication of effort.

National Environmental Policy Act (NEPA)

Federal agencies making decisions on permits or licenses are required to comply with the National Environmental Policy Act (NEPA). NEPA requirements are very similar to those of SEPA. An environmental assessment is used by the lead agency to determine the extent of environmental impacts associated with the project. Though the lead agency is responsible for the content of the assessment, the applicant may be asked to contribute extensive information. If a project is determined to be environmentally significant, an environmental Impact statement (EIS) is required. If the NEPA lead agency determines a project will not significantly impact the environment, that agency issues a Finding of No Significant Impact (FONSI).

1. Air Quality Permits

Air pollution control in Washington is based on a set of local, state, and federal laws and regulations involving three levels of government. The federal government, through the Environmental Protection Agency, sets air pollution standards that apply nationally. The state government, through Ecology and, in some cases, the Energy Facility Site Evaluation Council (EFSEC), is required to implement federal standards. A third level of government, local air pollution control agencies, also have broad responsibilities for implementing air pollution control activities within their single or multi-county jurisdictions. Jurisdictional boundaries of the state's seven local air pollution control agencies and Ecology's regional offices and addresses and telephone numbers for air quality contacts can be found in contacts.

Ecology implements and enforces air regulations with jurisdiction over all sources located in counties that do not have activated local authorities. Additionally, Ecology has jurisdiction over primary aluminum plants, pulp mills, vehicles, and vehicle-related sources. Local air authorities may implement and enforce most state regulations, and all local agencies have their own regulations that may be more restrictive than those of Ecology. These more stringent regulations are not addressed in this guide.

Large new energy related resources, such as thermal/nuclear power plants, oil refineries, pipelines, etc., are under the jurisdiction of EFSEC. The following discussion of air permits is divided into two categories: burning and business/industries with air emissions.

Agricultural Burning

Agricultural burning is defined as setting fire to crop residue after harvest for reducing excess plant material and inhibit pest infestations. It is also the burning of fruit tree debris from orchard tree removal and pruning. Burning is one of the more preferred methods of clearing cereal grain stubble after harvest (wheat, barley, corn and oats), and orchard limb or tree removal.

Activity which requires the Permit:

Burning of Agricultural Waste

Fees:

Variable. \$25.00 minimum fee, not to exceed \$2.50 per acre.

Online Application:

The application for an individual permit is online and can be downloaded at <http://www.ecy.wa.gov/programs/air/aginfo/agburnpermitpage.htm>.

Permit Dependencies:

When you are permitted to burn, you must call 1-800-406-5322 prior to burning and make sure that burning is allowed that day. You must notify your local fire protection authority prior to igniting any fire.

Permit Time Frame:

Completed applications will be reviewed within 7 days.

All applications are reviewed by the issuing office air technical staff.

Permit Review Process:

Permit Duration:

Variable

Permit Appeal Information:

Permits can be appealed directly to the issuing office.

Notes/Comments:

Authority over open burning is generally based upon the location and type of material to be burned. But, because there is so much variation throughout the state, it may not be clear which agency is responsible for permitting a specific burn. The easiest way to determine who would issue a permit is to call the [local air authority](http://www.ecy.wa.gov/programs/air/pdfs/local_map.pdf).

Legal Authority

Chapter 173-430 WAC

Chapter 70.94 RCW

Links:

[Air Quality Program](#)

[Air Permits FAQ](#)

[Agricultural Burning](#)

Statewide Contact:

Department of Ecology

Office of Regulatory Assistance

Fax: (800) 917-0043

* Permit information last updated 3/3/03

Air Contaminant Source Registration

Air: Requirements related to businesses or industries that discharge to air. If an air pollution source is not required to get an air operating permit, that source must register every year with Ecology or a local air authority. Through the registration process, the levels and types of air pollution from a given source are classified and regulatory requirements related to air emissions are identified.

Activity which requires the Permit:

Emitting pollutants into the air

Fees:

Ecology: Periodic fee (annual or less frequent), final fee amounts scheduled to be adopted March 1995.

Legal Authority

Chapter 173-400-100 and -105 General Regulations for Air Pollution Sources WAC

Chapter 70.94.151 Washington Clean Air Act RCW

Statewide Contact:

Department of Ecology

Air Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6800

Toll Free: (360) 407-6802

* Permit information last updated 7/7/03

Air Operating Permits

Major sources of air pollution are required to obtain an air operating permit. Major sources are defined as those that emit greater than 100 tons/year of an air pollutant, 10 tons/year of a hazardous air pollutant, and/or 25 tons/year of a combination of hazardous air pollutants. These permits will be issued by Ecology and local air authorities and will authorize the source to operate for the duration of the permit (5 years). State and federal law requires that the permit program be funded through an annual fee charged to permitted sources.

The operating permit system is structured as an administrative tool for applying other regulations to individual sources, collectively packaging new and existing regulatory requirements into a single document. These include emission limitations, monitoring, reporting, recordkeeping, and compliance requirements. The permit program is designed to enhance accountability and compliance by requiring sources to submit periodic reports certifying compliance with permit terms and conditions.

Washington's permit program was submitted to EPA for their review in November 1993. Program approval becomes effective December 9, 1994. The first round of permit applications are due June 1994. Those initial permits will be processed and issued by Ecology and local air authorities over a three-year period.

Activity which requires the Permit:

Emitting more than 100 tons/year of an air pollutant, 10 tons/year of a hazardous air pollutant, or 25 tons/year of a combination of a hazardous air pollutant.

Fees:

Fees vary according to the complexity of the source, its air emissions and how many total sources there are that need a permit. See Notes.

Notes/Comments:

Ecology: Fees range from \$19,500 to \$81,500 per source.

Local air authority: Each authority establishes their own fees that will vary among local jurisdictions.

Legal Authority

Chapter 173-401 Operating permit regulation WAC

Chapter 70.94.161; 70.94.162 Clean Air Act RCW

Statewide Contact:

Department of Ecology

Air Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6800

Toll Free: (360) 407-6802

* Permit information last updated 7/7/03

Notice of Construction Approval (NOC)

Ecology or the local air authority has review and approval authority for the construction of new sources or modifications to existing sources of air pollution.

Sources proposing to construct a new source or modify an existing source must submit a Notice of Construction Application to Ecology or the local air authority. The application must include a description of the new or modified source, the types of equipment used that will generate air pollution, the types and amounts of air pollutants released into the air, and proposed methods for air pollution control or prevention.

Activity which requires the Permit:

Releasing contaminants to the air from a new or modified source

Fees:

Amounts range from \$1,000 to \$15,000 depending upon source complexity.

Legal Authority

Chapter 173-400; 173-405; 173-410; 173-415; 173-460; and 173-490 WAC

Chapter 43.21A Department of Ecology RCW

Chapter 70.94 Clean Air Act RCW

Links:

[How to Apply for a Notice of Construction](#)

Statewide Contact:

Department of Ecology
Air Quality Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6800
Toll Free: (360) 407-6802

* Permit information last updated 7/7/03

Reasonably Available Control Technology Determination

Existing industrial and commercial sources may be required by Ecology to undergo a Reasonably Available Control Technology (RACT) determination. The RACT process determines, and then requires the use of reasonable available control requirements to reduce or limit their air emissions. These requirements identify the lowest emission limit that a source or source category is capable of meeting after considering technological and economic feasibility. Ecology will decide that a source is subject to the RACT evaluation and when the review will occur based on identified air quality problems that reflect the type of air emissions (carcinogenic, acute or chronic), whether the emissions exceed ambient or health based standards, concerns expressed by the public, and consistency with federal requirements being established for the source.

Activity which requires the Permit:

Emitting air pollutants (from an existing industrial or commercial source) that are determined by Ecology to cause an air quality impact that warrants regulation.

Fees:

Fees are based on the estimated workload effort to complete the evaluation and determine RACT requirements for an individual industry or a category of similar industries. This specific review results in a one-time fee (It is not an annual or periodic fee). See Notes.

Notes/Comments:

Four fee categories:

Individual Source - Ecology does RACT analysis and determines control requirements: \$1,500 to \$15,000 depending on source complexity.

Individual Source - Source does RACT analysis and determines control requirements: \$1,000 to \$10,000 depending on source complexity.

Individual Source - Ecology reviews replacement of emission control technology at specific source, reviews/determines RACT if appropriate: \$350 or \$850.

Source Categories - Ecology determines RACT for an entire category of businesses through a rule-making effort: \$25,000 to \$100,000 depending on source complexity (total fee amount split among sources in category, with an estimated single source fee ranging from \$20 to \$33,000).

Fee Reductions for Small Businesses - Ecology may reduce RACT fees for small business to fifty percent of the estimated fee or \$250 whichever is greater. If a source demonstrates extreme economic hardship, the fee may be lowered to \$100.

Fee Reductions for Pollution Prevention Measures - Ecology may reduce RACT fees for an individual source that has implemented approved pollution prevention measures.

Legal Authority

Chapter 173-400-040 and 045 WAC

Chapter 70.94.153 and 70.94.154 Washington Clean Air Act RCW

Statewide Contact:

Department of Ecology

Air Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6800

Toll Free: (360) 407-6802

* Permit information last updated 7/7/03

Silvicultural Burning

The Department of Natural Resources (DNR) regulates certain types of outdoor fires including burning vegetation, forest slash or other wood debris, and recreational fires. DNR also helps protect air quality through its smoke management plan. A written burning permit is required year round on land protected by DNR. Exceptions to this requirement are:

Certain designated areas of the state;

Outdoor fires contained in an approved camp stove;

Recreational fires less than four feet in diameter or debris disposal fires less than ten feet in diameter, when certain conditions are met.

For further information, contact a DNR Regional Office. The local fire protection agency may also require a written burning permit. Smoke Management Plans are required for larger burns. A permit may not be issued and alternative disposal should be considered.

Activity which requires the Permit:

Burning forest slash; starting recreational fires

Fees:

Fee ranges from \$24.75 through \$5193.00 based upon the number of tons of woody debris to be consumed.

Notes/Comments:

Please call your local air authority for questions regarding burn bans.

Legal Authority

Chapter 76.04 Forest Protection RCW

Links:

[Local Air Authority Map](http://www.ecy.wa.gov/programs/air/pdfs/local_map.pdf)

Statewide Contact:

Department of Natural Resources
1111 Washington Street SE
PO Box 47000
Olympia, WA 98504-7000
Fax: 1-800-527-3305

* Permit information last updated 1/15/03

2. Aquatic Resource Permits

Aquatic resources include both the physical elements of the aquatic environment, such as bedlands, tidelands, and shorelands; as well as life forms such as aquatic plants, fish, and shellfish that live within the aquatic environment.

The primary responsibility for managing the state's fish and shellfish resources lies with the Department of Fish and Wildlife, which manages all fish and shellfish resources of the state. In cooperation with Fish and Wildlife, the state's Indian tribes also manage aquatic resources that are included in a series of treaties.

The Department of Natural Resources' (DNR) primary role is one of proprietor and trustee rather than regulator. The DNR manages, for the benefit of all current and future citizens of the state, two million acres of state-owned tidelands, shorelands, and beds of navigable lakes and rivers. Unlike many other states in which abutting upland owners were granted a "riparian" right to build out over navigable waters, Washington chose to become a "nonriparian" state at statehood.

Ecology also has regulatory jurisdiction related to aquatic resources, as discussed in this section. Additionally, Ecology has review and approval authority over shoreline permits, which are discussed in more detail in the local government section.

Aquaculture Registration and Transfer Permit

Registration is required by the Department of Fish and Wildlife for any aquaculture operation, including those culturing food fish, shellfish, and certain aquatic animals. Quarterly reports on production are required. In addition, a permit is required to transfer live fish products within the state.

Activity which requires the Permit:

Culturing or transferring food fish, shellfish, and certain aquatic animals

Fees:

None

Notes/Comments:

Contact the Department of Fish & Wildlife customer service at 360-902-2661.

Legal Authority

Chapter 220-76; 220-77 WAC
Chapter 75.58 RCW

Statewide Contact:

Department of Fish and Wildlife
600 Capital Way North
Olympia, WA 98501-1091

Telephone: (360) 902-2534

Toll Free: (360) 902-2946

* Permit information last updated 2/24/04

Aquatic Farm Registration and Permit to Transport Fin Fish

Registration is required by the Department of Fish and Wildlife for any aquaculture operation, including those culturing food fish, shellfish, and certain aquatic animals. Quarterly reports on production are required. In addition, a permit is required to transfer live fish products within the state.

Activity which requires the Permit:

Culturing or transferring food fish, shellfish, and certain aquatic animals

Fees:

Variable

Notes/Comments:

Contact the Department of Fish and Wildlife Customer Service at 360-902-2661.

Statewide Contact:

Department of Fish and Wildlife

600 Capital Way North

Olympia, WA 98501-1091

Telephone: (360) 902-2534

Toll Free: (360) 902-2946

* Permit information last updated 2/24/04

Aquatic Use Authorization

The Department of Natural Resources (DNR) is steward of about 2.4 million acres of state-owned aquatic lands - bedlands of Puget Sound, navigable rivers, lakes, and other waters. It includes much of the tidelands - land covered and exposed by the tide - and shores of lakes and other fresh waters.

Anyone wishing to use state-owned aquatic lands (including owners of adjacent lands) must get authorization from DNR. Other activities for which authorization is required include shellfish/aquaculture leases, geoduck harvest sales, dredge disposal, easements for bridges and utility crossings (including outfalls), and sand and gravel removal.

Activity which requires the Permit:

Using state owned aquatic lands (includes harbors, state tidelands, shorelands, and beds of navigable waters).

Fees:

DNR fees (rents) are determined by statute and WAC. Rents are found under RCW 79.90 and WAC 332-30.

Online Application:

The application for an individual permit, which is called Joint Aquatic Resources Permit Application (JARPA), is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

Application Requirements:

In addition to the JARPA a supplemental application may be required and can be obtained by clicking on supplemental application located in the notes/comments section of this document. Information required on the application includes location; which should include waterbody name, section, township, & range, and adjacent upland tax parcel; the proposed use; physical improvements including docks, pilings, and/or fill; local, state, and federal regulatory requirements.

Permit Dependencies:

Fostering water-dependant uses, ensuring environmental protection, encouraging direct public use and access, and promoting renewable resources are DNR's primary considerations when making decisions regarding state-owned lands. Marinas, docks, and similar land/water connectors are typical authorized activities.

Permit Time Frame:

Application processing time generally ranges from six months to one year.

Permit Duration:

Duration of the DNR Use Authorization ranges between 10 to 55 years, determined under RCWs 79.91 through 79.96. The length is dependant on many factors, including the type of activity and the class of land being leased (bedlands, 1st or 2nd class tidelands/shorelands or harbor areas).

Permit Appeal Information:

An applicant can make a formal appeal under RCW 79.02.030. The appeal must be received by the county superior court within thirty days of the order or decision. Additionally, proposed rent can be appealed under RCW 79.90.520 and WAC 332-30-128, within thirty days of DNR's notification of rent being due.

Notes/Comments:

DNR Use Authorizations will not be completed until all regulatory permits are obtained and a property survey has been approved. The property survey requirements are found on the supplemental application.

Legal Authority

Chapter 332-30 WAC
Chapter 79.90-70.96 RCW

Links:

[Department of Natural Resources](#)
[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Natural Resources
Aquatic Resources Division
1111 Washington Street SE
PO Box 47027
Olympia, WA 98504-7027
Telephone: (360) 902-1100
Toll Free: (360) 902-1786

* Permit information last updated 1/15/03

Hydraulic Project Approval (HPA)

Any form of work that uses, diverts, obstructs, or changes the natural flow or bed of any fresh water or saltwater of the state, requires a Hydraulic Project Approval (HPA) from the Washington State Department of Fish and Wildlife (WDFW). Permit processing can take up to 45 days following receipt of a complete application package.

A complete application package for an HPA must include a completed Joint Aquatic Resource Permit Application (JARPA) form, general plans for the overall project, and complete plans and specifications of the proposed work within the mean higher high water line in salt waters or within the ordinary high water line in fresh waters of the state, complete plans and specifications for the protection of fish life, and notice of compliance with any applicable requirements of the State Environmental Policy Act (SEPA).

Activity which requires the Permit:

Work that uses, diverts, obstructs, or changes the natural flow or bed of any of the salt or fresh waters of state.

Fees:

None

Online Application:

The application for an individual permit, which is called Joint Aquatic Resource Permit Application (JARPA), is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

Application Requirements:

As contained within JARPA; must include general plans for project, complete plans and specs for the proposed construction or work within the mean higher high water line in salt water or within the ordinary high water line in fresh water, and complete plans and specs for the proper protection of fish life. Applications for streamlined processing of fish habitat enhancement projects must additionally include the application form for these projects that is attached to the JARPA.

Permit Dependencies:

State Environmental Policy Act (SEPA) compliance must be complete prior to review of your application and issuance of the HPA by WDFW. SEPA compliance is not required for an expedited or an emergency HPA.

Permit Time Frame:

Maximum of 45 calendar days after complete application is received and SEPA compliance is complete for a standard HPA; a maximum of 15 days (after receipt of a complete application) for an expedited HPA; immediately for an emergency HPA. Processing of standard HPA's can be placed on hold if applicant cannot be reached, if project site is inaccessible, or the applicant requests it.

Applications may be received and logged in at Headquarters, then mailed to regional office for processing, or 1
Permit Review Process:

Permit Duration:

Up to five years for a standard HPA; up to 60 days for an expedited HPA; the length of the emergency for emergency HPA's.

Permit Appeal Information:

Informal and formal appeal processes are available to the applicant or other aggrieved parties, but must be filed within 30 days of issuance or denial of HPA.

Notes/Comments:

Current pamphlet HPA's include Aquatic Plants and Fish pamphlet for aquatic plant control projects, and the Gold and Fish pamphlet for mineral prospecting permits.

Pamphlet HPA's are free, do not require submittal of a written application, are for the preservation of fish life and have specific application requirements and duration. They are issued under specific statutory authority.

Legal Authority

Chapter 220-110 WAC

Chapter 77.55 RCW

Links:

[Office of Regulatory Assistance](#)

[Department of Fish and Wildlife](#)

[Environmental Permit Handbook](#)

Statewide Contact:

Department of Fish and Wildlife

600 Capital Way North

Olympia, WA 98501-1091

Telephone: (360) 902-2534

Toll Free: (360) 902-2946

* Permit information last updated 2/24/04

Noxious Aquatic and Emergent Weed Transport Permit

Certain aquatic and wetland plants have been designated as noxious weeds by the Washington State Noxious Weed Control Board. Generally, a permit from the Director of Agriculture is required for transporting various plants or plant parts, including purple loosestrife; wand loosestrife; Eurasian watermilfoil; hydrilla; salt meadow cordgrass; common cordgrass; smooth cordgrass; Parrot's Feather, parrotfeather or waterfeather; and Brazilian elodea or egeria.

Activity which requires the Permit:

Transporting noxious plants or plant parts

Fees:

None

Legal Authority

Chapter 16.752 WAC

Chapter 17.10 RCW

Statewide Contact:

Department of Agriculture
Plant Services Division

Telephone: (509) 576-3039

Toll Free: (509) 454-7858

* Permit information last updated 10/1/98

Shellfish Operation License and Certificate of Approval

An annual license is required by the Department of Health for any commercial harvesting and/or processing of molluscan shellfish (clams, oysters, mussels). Initial approval and licensing decisions may take from one week to one year depending on project complexity and knowledge of the site. Projects that do not involve processing (such as harvesting then selling direct to dealer or retail outlet) do not require as much time as those that do involve processing (e.g., shucking, packing, and shipping). Projects involving a large site or a site that has not undergone environmental review would take longer to review than those proposed for a small area for which environmental data is already available.

Activity which requires the Permit:

Commercially harvesting and/or processing molluscan shellfish (clams, oysters, mussels)

Fees:

\$250 to \$1,000 depending on type of operation

Legal Authority

Chapter 246-282 WAC

Chapter 69.30 RCW

Statewide Contact:

Department of Health
Office of Shellfish Programs
Airdustrial Building 3
PO Box 47822
Olympia, WA 98504
Telephone: (360) 753-5992
Toll Free: (360) 586-5529

* Permit information last updated 10/1/98

3. Archaeology and Historic Preservation Permits

Archaeological Excavation Permit

The Department of Community Development, Office of Archaeology and Historic Preservation should be contacted before beginning a project. This office can help determine if historic or archaeological sites would be affected. An historic/archaeological excavation assessment may be required. A permit from the Department of Community Development, Office of Archaeology and Historic Preservation, must be obtained prior to any excavation that will alter or remove Native Indian grave site or archaeological resources.

The status of any sites or structures listed in or eligible for the State or National Register of Historic Places or Local Landmark designation may need to be determined. Plans for protection or mitigation measures may be a condition of any permit issued.

Activity which requires the Permit:

Excavation altering or removing archaeological resources or Native Indian grave sites.

Fees:

None for technical assistance

Legal Authority

Chapter 25-48 WAC

Chapter 27.44; 27.53 RCW

Statewide Contact:

Department of Community, Trade and Economic Development

PO BOX 42525

Olympia, WA 98504-2525

Telephone: (360) 725-3000

Toll Free: (360) 753-2950

* Permit information last updated 12/9/03

Section 106 Review

The Department of Community Trade and Economic Development, Office of Archaeology and Historic Preservation (OAHP) must be consulted when projects are subject to review under Section 106 of the National Historic Preservation Act of 1966 (NHPA). This act requires that all federal agencies take into account the affect of its actions on historic properties. Requirements of Section 106 review apply to any federal undertaking, funding, license, or permit.

The Office of Archaeology and Historic Preservation is consulted to help determine if the site has been surveyed, if there are identified historical resources on-site, and if the property is listed or eligible for listing on the National Register of Historic Places.

If projects will adversely effect property that meets National Register criteria, the OAHP will participate in finding acceptable ways to avoid or mitigate that adverse effect. Though the federal agency involved is responsible for initiating and completing Section 106 review, the project applicant may make direct contact with the OAHP.

Activity which requires the Permit:

Excavation altering or removing archaeological resources or Native Indian grave sites.

Fees:

None

Legal Authority

National Historic Preservation Act of 1966

Statewide Contact:

Department of Community, Trade and Economic Development

PO BOX 42525

Olympia, WA 98504-2525

Telephone: (360) 725-3000

Toll Free: (360) 753-2950

* Permit information last updated 12/9/03

4. Federal Requirements

401 Water Quality Certification

Applicants receiving a section 404 permit from the U.S. Army Corp of Engineers, a Coast Guard permit or license from the Federal Energy Regulatory Commission (FERC), are required to obtain a section 401 water quality certification from the Department of Ecology (Ecology). Issuance of a certification means that the Ecology anticipates that the applicant's project will comply with state water quality standards and other aquatic resource protection requirements under Ecology's authority. The 401 Certification can cover both the construction and operation of the proposed project. Conditions of the 401 Certification become conditions of the Federal permit or license.

For 404 permits the Corps has developed Nationwide permits to streamline the process for specific activities. The Corps reviews a proposed project to determine if an individual 404 permit is required, or if the project can be authorized under a Nationwide permit. The Nationwide permits also need 401 Certification from Ecology. Ecology has already approved, denied or partially denied specific Nationwide permits. If approved, no further 401 Certification review by Ecology is required. If partially denied without prejudice, an individual certification or Letter of Verification from Ecology is required. If denied without prejudice, an individual certification is required for all activities under that nationwide permit.

[Nationwide Permits](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitenam=REG&pagename=NWP_2002)

Activity which requires the Permit:

Applying for a federal permit or license to conduct any activity that might result in a discharge of dredge or fill material into water or non-isolated wetlands or excavation in water or non-isolated wetlands.

Fees:

No fee for certification

Online Application:

The application for an individual permit, which is called Joint Aquatic Resources Permit Application Form (JARPA), is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

Application Requirements:

If applicable to the project:

Mitigation plans, Operation and maintenance plans, Stormwater site plans and Restoration plans.

Permit Dependencies:

If your project is within any of Washington's 15 coastal counties then you need a Coastal Zone Consistency Determination (CZM).

[CZM](http://ecyhqapp18:82/permithandbook/permitdetail.asp?id=46)

See links below for a map of the 15 coastal counties.

Permit Time Frame:

Individual 401's: Minimum twenty day public notice; up to one year to approve, condition, or deny.

Usually less than three months, see notes/comments. Nationwide permits that have been partially denied may take a few days or weeks, after receipt of the JARPA and a letter from the Corps issuing a LOV. Letter of Verification (LOV): Usually takes 30 days but can take up to 180 days.

Review is conducted in Shoreline and Environmental Assistance within each regional office (except dredging a Permit Review Process:

Permit Duration:

401 Certification becomes part of the Federal permit or license. The duration of the 401 Certification would be in effect for same time period as the permit or license, however Ecology issues 401 Certifications as 90.48 administrative orders, so they may have conditions that apply to the project longer than the Federal permit or license.

Permit Appeal Information:

Appealable to Pollution Control Hearings Board within thirty days of Ecology's decision. P.C.H.B. may not hear case for six or more months.

Notes/Comments:

If an applicant receives a nationwide permit and Ecology issues a LOV, there is no public notice requirements under 401 certification for that specific project. If the applicant receives a nationwide permit but is required to obtain an individual 401 Certification, public notice is required.

Legal Authority

Chapter 173-201A State Water Quality Rule WAC

Chapter 173-225 Federal Clean Water Act, Section 401 WAC

Chapter 90.48 State Water Quality Law RCW

Links:

[Working in the Water](#)

[401 Certification for Hydropower](#)

[US Army Corps of Engineers](#)

[Map of 15 coastal counties within Washington](#)

[Office of Regulatory Assistance](#)

[Environmental Permit Handbook](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

* Permit information last updated 2/24/04

Coastal Zone Consistency Determination

Activities and development affecting coastal resources which involve federal activities, federal licenses or permits, and federal assistance programs (funding) require written CZM decision by Ecology. Activities & developments performed by or for federal agencies require a CZM determination be submitted stating that the project is consistent with Washington's Coastal Zone Management Program (WCZMP) to the "maximum extent practicable." Federal permitted/licensed or federal funded projects require a certification that they are consistent with WCZMP. CZM Determinations/Certifications are submitted to The Department of Ecology for concurrence or objection.

Activity which requires the Permit:

Federal activity, Projects requiring a federal license or permit and Federal Assistance Programs proposed within any of Washington's 15 coastal counties. (see notes)

Fees:

None.

Application Requirements:

Provide Ecology with all necessary data and information required in Title 15, Ch IX, Part 930.39 Code of Federal Regulations. (see link below)

Permit Dependencies:

Federal agency activities; projects requiring federal permits or licenses and federal assistance programs (funded).

Permit Time Frame:

Ecology has 60 days for Federal projects and 180 days for licenses, permits or funding project to render a decision.

Submit to Ecology for its review and decision to concur, object or condition.

Permit Review Process:

Permit Duration:

For the length of the project.

Permit Appeal Information:

Applicants may appeal to the Secretary of Commerce in accordance with Title 15, Ch IX, Part 930.125 Code of Federal Regulations. (see link below)

Notes/Comments:

Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Wahkiakum, Whatcom.

Legal Authority

Title 16, Ch 33, S 1456 USC

Title 15, Ch IX, Part 930

Title 15, Ch IX, Part 923

Links:

[Title 15, Ch IX, Part 930.125 CFR](#)

[Title 15, Ch IX, Part 930.39 CFR](#)

[Washington's Coastal Zone Management home page](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04

Federal Energy Regulatory Commission (FERC) License

The Federal Energy Regulatory Commission (FERC) is the primary federal agency responsible for issuing licenses for all non-federal hydroelectric projects within its jurisdiction. The Federal Power Act requires evidence of compliance with state and local requirements before issuance of a FERC license. There are very few hydropower projects that are not subject to FERC licensing requirements. A FERC license (or an exemption from licensing) must be obtained for any hydropower project within FERC's jurisdiction, including:

Projects on a navigable waterway;

Projects that would use federal land;

Projects that would use surplus water or water power from a federal dam; and Projects that will affect interstate commerce (those that would be connected to a regional transmission grid).

There are two ways to find out if hydropower project would require a FERC license. You can either request an unofficial opinion from FERC staff, or you can receive a formal determination by filing a Declaration of Intention per Part 24 of FERC regulations (Title 18 CFR). For more information on the FERC licensing and exemption processes, call or write the Washington State Energy office or the Federal Energy Regulatory Commission as identified below:

Washington State Energy Office
809 Legion Way SE
Olympia, WA 98504-1211
(206) 956-2141 or (206) 956-2086

Federal Energy Regulatory Commission

Director, Office of Hydropower Licensing
825 N. Capitol St. N.E.
Washington, DC 20426
(202) 219-2700

Regional Director, Portland Regional Office
1120 South West 5th Avenue, Suite 1340
Portland, Oregon 97204
(503) 326-5840

Activity which requires the Permit:

See Permit Description for details

Fees:

Variable

Legal Authority

Code of Federal Regulations Title 18

Statewide Contact:

Department of Ecology
Office of Regulatory Assistance

* Permit information last updated 3/3/03

Hazardous Chemical Inventory Reporting Requirements (Emergency Planning and Community Right-to-Know Act (EPCRA))

Facilities that have hazardous substances on-site are required to provide information on the type, quantities, and storage locations for those substances. These reports provide information for emergency planning agencies and the public and are filed with the Department of Ecology, on behalf of the Washington State Emergency Response Commission (SERC).

Activity which requires the Permit:

Businesses storing or using hazardous substances

Fees:

None

Application Requirements:

See Notes/Comments Section below. For complete requirements, see <http://www.ecy.wa.gov/programs/hwtr/epcra>.

Permit Dependencies:

Section 302/303: Have an Extremely Hazardous Substance on-site.

Section 311/312: Have on-site a hazardous substance in quantities above its reportable threshold.

Notes/Comments:

Section 302: Extremely Hazardous Substance (EHS) listed chemicals above the Threshold Planning Quantity must be reported within sixty days of arrival on site. Section 303: Facilities reporting under Section 302 must designate a facility representative to participate in the local emergency planning process. Section 311/312: Facilities that have Material Safety Data Sheets (MSDS) under the Occupational Safety and Health Administration (OSHA) requirements for chemicals in quantities greater than reporting thresholds must submit a MSDS List or copies of the MSDS and complete the Tier Two Hazardous Chemical Inventory report annually. Hazardous Substances are reportable at 10,000 pounds or more at any one time, EHS threshold varies depending on the chemical.

Legal Authority

Chapter 118-40 WAC
42 U.S.C. Part 116
40 CFR 355-372

Links:

[Community Right-to-Know](#)

Statewide Contact:

Department of Ecology
Hazardous Waste & Toxics Reduction Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6700
Toll Free: (360) 407-6715

* Permit information last updated 1/15/03

Section 10 Permit - Work in Navigable Waters

A Corps permit is required when locating a structure, excavating, or discharging dredged or fill material in waters of the United States or transporting dredged material for the purpose of dumping it into ocean waters. Typical projects requiring these permits include the construction and maintenance of piers, wharfs, dolphins, breakwaters, bulkheads, groins, jetties, mooring buoys, and boat ramps.

However, not every activity requires a separate, individual permit application. Certain activities and work can be authorized by letters-of-permission, nationwide permits, or regional permits. Some activities authorized by these permits are permitted in advance. Typically, little or no paperwork is required, and consequently permitting time is reduced. So, before submitting an application, contact the District Engineer's office for current information about the type of permit required.

Any activity planned for the navigable waters of Puget Sound, the coastal areas (including channels and bays), the Columbia

Activity which requires the Permit:

Locating a structure, excavating, or discharging dredged or fill material in waters of the United States or transporting dredged material for the purpose of dumping it into ocean waters.

Fees:

Variable

Links:

[Rivers & Harbors Act Section 10](#)

Statewide Contact:

US Army Corps of Engineers
Seattle District Regulatory Branch
PO Box 3755
Seattle, WA 98124-2255
Telephone: (206) 764-3495
Toll Free: (206) 764-6602

Section 404 Permit - Discharge of Dredge and Fill Material

A Corps permit is required when locating a structure, excavating, or discharging dredged or fill material in waters of the United States or transporting dredged material for the purpose of dumping it into ocean waters. Typical projects requiring these permits include the construction and maintenance of piers, wharfs, dolphins, breakwaters, bulkheads, groins, jetties, mooring buoys, and boat ramps.

However, not every activity requires a separate, individual permit application. Certain activities and work can be authorized by letters-of-permission, nationwide permits, or regional permits. Some activities authorized by these permits are permitted in advance. Typically, little or no paperwork is required, and consequently permitting time is reduced. So, before submitting an application, contact the District Engineer's office for current information about the type of permit required.

Any activity planned for the navigable waters of Puget Sound, the coastal areas (including channels and bays), the Columbia

Activity which requires the Permit:

Locating a structure, excavating, or discharging dredged or fill material in waters of the United States or transporting dredged material for the purpose of dumping it into ocean waters.

Fees:

Variable

Links:

[Clean Water Act Section 404](#)

Statewide Contact:

US Army Corps of Engineers
Seattle District Regulatory Branch
PO Box 3755
Seattle, WA 98124-2255
Telephone: (206) 764-3495
Toll Free: (206) 764-6602

Toxic Chemical Release Inventory Reporting (Emergency Planning and Community Right-to-Know Act (EPCRA))

Facilities that use more than threshold amounts of certain Toxic Chemicals must complete an annual Toxic Chemical Release Inventory Report on the releases and off-site transfers of those chemicals. These reports are filed with the Department of Ecology, on behalf of the Washington State Emergency Response Commission (SERC).

Activity which requires the Permit:

Specific Industries, having 10 or more full-time employees using more than threshold amounts of listed chemicals.

Fees:

None

Online Application:

The application for an individual permit, which is called TRI-ME, is online and can be downloaded at <http://www.epa.gov/tri/report/trime/index.htm>.

Permit Time Frame:

Due July 1 for prior calendar year

Notes/Comments:

Your business must meet ALL of the following criteria to be covered by the requirements of this section:

The facility is in one of the covered industries:

Manufacturing

Federal Facilities

Metal and Coal Mining

Electric Utilities (burning coal and/or oil for commercial distribution.

Commercial Hazardous Waste Treatment facilities (regulated under RCRA Subtitle C)

Chemical and Allied Products - Wholesale

Petroleum Bulk Terminals and Plants

Solvent Recovery Services (fee or contract basis)

The facility manufactured (including imported) or processed or otherwise used a Toxic Chemical in excess of the threshold quantity during the calendar year. Threshold quantities are 25,000 pounds manufactured or processed or 10,000 pounds otherwise used, except for certain Persistent Bioaccumulative Toxic Chemicals (PBT, which have lower thresholds.

EPA has developed a list of more than 600 Toxic Chemicals subject to the reporting requirements of Section 313.

Legal Authority

Chapter 118-40 WAC

40 CFR Part 372

Links:

[TRI Home Page](#)

Statewide Contact:

Department of Ecology

Hazardous Waste & Toxics Reduction Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6700

Toll Free: (360) 407-6715

* Permit information last updated 1/15/03

5. General Permits

State Environmental Policy Act (SEPA)

The Washington State Environmental Policy Act (SEPA) provides a way to identify possible environmental impacts that may result from governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies or plans.

Information provided during the SEPA review process helps agency decision-makers, applicants, and the public understand how a proposal will affect the environment. This information can be used to change a proposal to reduce likely impacts, or to condition or deny a proposal when adverse environmental impacts are identified.

Activity which requires the Permit:

Any proposal that requires a state or local agency decision to license, fund, or undertake a project, or the proposed adoption of a policy, plan, or program can trigger environmental review under SEPA. (See WAC 197-11-704 for a complete definition of agency action.)

Fees:

Depends on the SEPA lead agency.

Application Requirements:

Depends on SEPA lead agency. SEPA environmental review usually starts with the applicant completing an environmental checklist that is submitted to the SEPA lead agency. The standard checklist form is in WAC 197-11-960.

Permit Dependencies:

SEPA is a process, not a permit. The SEPA review process is a tool to help agencies identify and evaluate the likely environmental consequences of a proposal. This environmental information is used by agency decision makers to decide whether to approve the proposal.

Permit Time Frame:

Depends on the SEPA lead agency.

Depends on the SEPA lead agency.

Permit Review Process:

Permit Duration:

Not applicable.

Permit Appeal Information:

Depends on the SEPA lead agency.

Notes/Comments:

For additional information on SEPA go to links and click on the SEPA home page.

Legal Authority

SEPA Model Ordinance

SEPA Rule, WAC 197-11

SEPA Statute, RCW 43.21C

Links:

[The State Environmental Policy Act Home Page](#)

Statewide Contact:

Department of Ecology

SEPA Unit

PO Box 47703

Olympia, WA 98504-7703

* Permit information last updated 5/6/04

6. Land Resource Permits

The Department of Natural Resources, under the direction of the Commissioner of Public Lands, administers many permits regulating the use of over 12.5 million acres of state and private land. Forest practices enforcement, surface mine regulation, and administration of other land resource permits, are among the Department's responsibilities.

Forest Practices Permit

A forest practices approval is required of the bona fide owner/operator of land and timber before beginning any forest practice (harvesting, reforestation, road construction, fertilization, prevention and suppression of diseases and insects, tree salvage, brush control, and/or chemical application).

Information is required on the location and extent of harvesting, road construction and maintenance activities, borrow and disposal areas, methods and equipment, size of needed rights-of-way, reforestation plans, stream crossings and drainage plans, indication of wildlife habitat to be removed, riparian protection, and location of water bodies and wetlands.

Activity which requires the Permit:

Forest practices including harvesting, re-foresting, road building and maintenance, fertilizing, preventing and suppressing diseases and insects, salvaging trees, controlling brush, and applying chemicals.

Fees:

\$50 for timber harvest or \$500 for conversion to non-forest use

Legal Authority

Chapter 222 WAC
Chapter 76.09 RCW

Statewide Contact:

Department of Natural Resources
Forest Practices Division
1111 Washington Street SE
PO Box 47012
Olympia, WA 98504-7012
Telephone: (360) 902-1400
Toll Free: (360) 902-1784

* Permit information last updated 1/15/03

Reclamation Permit

A reclamation permit is required by the Department of Natural Resources (DNR) for each surface mine that: (1) results in more than 3 acres of disturbed ground, or (2) has a high-wall that is both higher than 30 feet and steeper than 45 degrees. To ensure high quality reclamation after mining, DNR requires a reclamation plan that specifies the operators' methods for achieving the following reclamation goals:

- Segmental reclamation where possible (reclaiming portions of the mine site as mining of those portions is completed)
- Preservation of topsoil
- Slope restoration so highwalls are stable and are rounded rather than linear so that features appear normal rather than manmade
- Final topography with rolling mounds and hills and sinuous contours, chutes and buttresses, spurs that blend with adjacent topography
- Effective re-vegetation with multi-species ground cover and trees
- Water and erosion control as it pertains to reclamation

Local governments must formally approve mine siting and/or the subsequent use of the mine site before a reclamation permit can be issued, which generally makes local jurisdictions the SEPA lead agency (see SEPA, page 8). Zoning and mine operations like fencing, excavation, blasting, operational water and erosion control, noise and dust emission control, public safety, mineral processing, and batching, are regulated by various jurisdictions other than DNR.

A bond for reclamation is required before the reclamation permit can be issued and before mining can begin. Reclamation permit processing time is variable depending of project complexity. It may take from 6 months to several years before environmental documents are complete and permit decisions are made by various jurisdictions.

Activity which requires the Permit:

Surface mining

Fees:

\$650.00 per year

Notes/Comments:

A regulatory guide specific to surface mining, titled Surface Mining in Washington: Regulatory Responsibilities of Federal, State, and Local Government Agencies is available from DNR, Division of Geology and Earth Resources and Regional offices. Additional literature and guides to reclamation are also available.

Legal Authority

Chapter 332.18 WAC

Chapter 78.44 RCW

Statewide Contact:

Department of Natural Resources
Geology and Earth Resources Division
1111 Washington Street SE
PO Box 47007
Olympia, WA 98504-7007
Telephone: (360) 902-1450
Toll Free: (360) 902-1785

* Permit information last updated 1/15/03

7. Livestock Permits

Animal Feeding Operations NPDES and Statewide Discharge Permits (Concentrated Animal Feeding Operation General Permit)

Under the federal Clean Water Act, Concentrated Animal Feeding Operations (CAFO's) are point sources requiring a National Pollutant Discharge Elimination System (NPDES) permit. CAFO's include slaughter/feeder cattle, dairy cattle, swine, horses, sheep, turkeys, and chickens. Facilities that stable or confine numbers of animals that exceed threshold limits, and discharge to waters of the state (includes both surface and ground waters), require an NPDES permit.

Most concentrated animal feeding operations will be covered by a general permit. This permit protects both surface waters and ground waters.

Normally, the Clean Water Act and State Water Pollution Control Act requirements are administered jointly.

Activity which requires the Permit:

Conducting a concentrated animal feeding operation of a certain size, or a concentrated animal feeding operation that discharges to state or federal waters

Fees:

The fee ranges from \$100 to \$1,000 per year depending upon the size of the facility.

Legal Authority

Chapter 173-216 WAC

Chapter 173-220 WAC

Chapter 90.48 RCW

Clean Water Act, Title 33 United States Code, Section 1251 et seq. 40 CFR 122.23

Links:

[Concentrated Animal Feeding Operation General Permit](#)

Statewide Contact:

Department of Ecology

Water Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6400

Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

Public Livestock Market License

A Public Livestock Market License is required before operating livestock sales. The Department of Agriculture must hold a public hearing before granting or denying a application, and is required to send the applicant hearing notification 20 days in advance of the hearing. Before receiving this license, the applicant must have a sewage system that has been approved by the jurisdictional health department, sufficient water on-site to clean the facility on a weekly basis, and meet other facility requirements.

Activity which requires the Permit:

Operating a public livestock market

Fees:

The fee ranges from \$100 to \$450, depending on volume.

Notes/Comments:

Contact The Department of Agriculture Consumer and Producer Protection Division 360-902-1800.

Legal Authority

Chapter 16-604 WAC

Chapter 16-606 WAC

Chapter 16.65 RCW

Links:

[Department of Agriculture](#)

Statewide Contact:

Department of Agriculture

* Permit information last updated 5/22/03

8. Local Permits

Your local county or city government is also responsible for regulating development. The following will provide general information and directions to the appropriate local offices for obtaining local permits and approvals required for your project. These requirements pertain to local zoning and building codes, comprehensive land use and shoreline plans, and local development policies. Listed below are typical local permits and an explanation of what they require.

Building Permit

Permits to construct permanent buildings or additions to existing facilities are required by counties and cities, except under certain circumstances. The application requires detailed final plans for structures including electrical plan, plumbing plan, floor layout, sewage facilities, location of wells (if applicable), drainage plan, size and shape of lot and buildings, setback of buildings from property lines and drainfield (if applicable), access, size and shape of foundation walls, beams, air vents, window accesses, and heating or cooling plants, if included in the design. Permits are issued upon approval of the plans. Permit processing time varies depending on the project, but averages from six to eight weeks. Public hearings requirements also vary depending on activity proposed.

The Growth Management Act, which became law in 1990, amended the State Building Code to require that building permit applicants provide proof of an adequate supply of potable water for the purposes of the building. The three means of proof specified in the law are: 1) a permit from the Department of Ecology, 2) a letter from an approved purveyor stating the ability and willingness to provide water, and 3) another form (consult with the appropriate local government) sufficient to verify the existence of an adequate water supply. The departments of Ecology and Health developed guidelines to help local governments verify the adequacy of water supplies for individual buildings.

Activity which requires the Permit:

Please see Permit Description

Fees:

Variable, check with local government

Legal Authority

Chapter 51-50 WAC

Chapter 51-51 WAC

Links:

[Cities and Towns](#)

[Counties](#)

[Related Building Codes](#)

Statewide Contact:

Local Government - City or County

* Permit information last updated 1/15/03

Flood Plain Development Permit

Local governments participating in the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA) are required to review proposed development projects to determine if they are in identified floodplains as shown on the FEMA maps. If a project is located in a mapped floodplain, the local government must require that a permit be obtained prior to development.

Proposed projects are reviewed and conditions imposed on any permits issued to reduce the potential for damage from floodwater. Permits are required for any development as well as for filling or grading activities in the floodplain. Permit processing time varies by jurisdiction and project complexity. Though a public hearing is not normally required, there are exceptions. State law requires that local entities have a local floodplain ordinance that meets or exceeds NFIP requirements. Ecology has approval authority over these ordinances.

Activity which requires the Permit:

Any development as well as filling or grading activities within the 100 year floodplain.

Fees:

Determined by local government.

Application Requirements:

Determined by the property owner's local government.

Permit Dependencies:

Determined by the property owner's local government.

Permit Time Frame:

Permit processing time varies by jurisdiction and project complexity.

Local government will review property location and determine whether or not the property is within the 100 year floodplain.
Permit Review Process:

Permit Duration:

Usually lasts for the duration of the project.

Permit Appeal Information:

Property owner can challenge floodplain determination by going through the local government's appeal process. The property owner has the right to hire a surveyor or engineer to delineate the parcel and determine whether or not it is within the 100 year floodplain. If the property is not located within the 100 year floodplain then the property owner can submit the finding and request a letter of map amendment or a map revision from FEMA for a fee.

Notes/Comments:

Floodplain management programs are not consistent statewide, the process varies between local governments along with the fees associated with the permit. What is consistent statewide is if a property owner builds or proposes to build within the 100 year floodplain then they must obtain an elevation certificate.

Legal Authority

Chapter 173-158 WAC

Chapter 86.16 RCW

Title 42, Ch 50, S 4001 et seq USC

Title 44, Ch I, S 60.3 CFR

Links:

[Local city governments](#)

[FEMA](#)

[Local county governments](#)

Statewide Contact:

Local Government - City or County

* Permit information last updated 1/15/03

Noise Ordinance

Authority for noise abatement and control is with local government. Many areas have adopted local noise ordinances. For areas without a local noise ordinance, State noise regulations, chapter 173-60 WAC, set maximum intruding sound level limits statewide for three different land uses (industrial, commercial and residential) for both day and night. For more information about noise ordinances that apply in your area, contact your local city hall or county commissioners office.

Activity which requires the Permit:

Violation of local noise ordinance or noise rules if no ordinance.

Fees:

Variable, determined by local government

Application Requirements:

Variable, determined by local government

Permit Time Frame:

30 day time limit for a variance. See WAC 173-60-080 section 3.

Variable, determined by local government

Permit Review Process:

Permit Appeal Information:

Appealable to Pollution Control Hearings Board within thirty days of decision.

Notes/Comments:

Coming soon a noise web page and two frequently asked questions documents, one for citizens and one for local governments.

Legal Authority

Chapter 173-60 WAC

Chapter 70.107 RCW

Links:

[Office of Regulatory Assistance](#)

[Cities and towns web addresses](#)

[County web addresses](#)

[Noise Pollution Frequently Asked Questions](#)

Statewide Contact:

Department of Ecology

Office of Regulatory Assistance

Fax: (800) 917-0043

* Permit information last updated 3/3/03

On-Site Sewage Disposal Permit

Businesses and residences that locate outside areas served by sewer systems frequently treat and dispose of sewage on the property where it originates through septic tanks and subsurface disposal fields. These systems require approval of local health departments, Department of Health, or Ecology, depending on the size and nature of the system.

Local health departments issue permits for on-site sewage with design flows, at any common point, less than 3,500 gallons/day (See Water Quality section, on-site Sewage Disposal Permit/Septic System).

Activity which requires the Permit:

Septic Tank

Fees:

Variable, check with local health department

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

Shoreline Conditional Use Permit

Each local government has development regulations in its Shoreline Master Program. Each determines what are "conditional uses", i.e. uses that are not preferred but may be permitted when specified conditions are met. Shoreline Conditional Use Permits are sent to Ecology for approval or disapproval. Ecology may add its own conditions during its review process.

Activity which requires the Permit:

Determined by local government and specified in their Shoreline Master Program.

Fees:

Determined by local government. Ecology does not charge any fee for review of Shoreline Conditional Use Permits.

Application Requirements:

Determined by each local government. The minimum required information is listed in WAC 173-27-180.

Permit Dependencies:

Compliance with the State Environmental Policy Act (SEPA) may be required.

Permit Time Frame:

Determined by local government.

Determined by local government. After receiving a complete Conditional Use Permit from local government I Permit Review Process:

Permit Duration:

Determined by local government in accordance with RCW 90.58.143.

Permit Appeal Information:

Each local government may establish its own appeal process. Appeals may then be made to the Shorelines Hearings Board (SHB) within 21-days of the "filing date" as defined in RCW 90.58.140(6). SHB decisions may be appealed to the courts.

Notes/Comments:

Conditional Use Permit applications are reviewed against criteria in the local Shoreline Master Program and state criteria in WAC 173-27-160.

Legal Authority

Chapter 173-27 WAC

Chapter 90.58 RCW

Links:

[Shorelines Hearings Board](#)

[RCW 90.58.180](#)

[RCW 35.05.510 et seq.](#)

[Local county governments](#)

[Local city & town governments](#)

[Shoreline Management Act home page](#)

Statewide Contact:

Local Government - City or County

* Permit information last updated 1/15/03

Shoreline Substantial Development Permit

A written permit issued by local government for development on shorelines. Many types of development are exempt from this permit requirement. Shorelines are listed in RCW 90.58.030 (definitions), WAC 173-18 (streams), WAC 173-20 (lakes), and WAC 173-22 (wetlands). See links below. After completion of the local process the permits are sent to Ecology for filing but Ecology does not have authority to approve or deny them.

Activity which requires the Permit:

All non-exempt developments and uses exceeding \$5000 fair market value as defined in RCW 90.58.030 and WAC 173-27-030(8).

Fees:

Established by each local government. Ecology does not charge any filing fee.

Application Requirements:

Established by each local government. The minimum required information is listed in WAC 173-27-180.

Permit Dependencies:

Compliance with the State Environmental Policy Act (SEPA) may be required.

Permit Time Frame:

Determined by each local government.

Determined by each local government.

Permit Review Process:

Permit Duration:

Determined by local government in accordance with RCW 90.58.143.

Permit Appeal Information:

Each local government may establish its own appeal process. Appeal may then be made to the Shorelines Hearings Board (SHB) within 21-days of the "filing date" as defined by RCW 90.58.140(6). SHB decisions may be appealed to the courts.

Notes/Comments:

Substantial Development Permits are reviewed against the criteria in the local Shoreline Master Program and state criteria in WAC 173-27-150.

Legal Authority

Chapter 173-27 WAC
Chapter 90.58 RCW

Links:

[WAC 173-18](#)
[WAC 173-20](#)
[WAC 173-22](#)
[Shorelines Hearings Board](#)
[RCW 34.05](#)
[Local city & town governments](#)
[Shoreline Management Act home page](#)
[Local county governments](#)

Statewide Contact:

Local Government - City or County

* Permit information last updated 1/15/03

Shoreline Variance Permit

Each local government has its own development standards for dimensions, heights, setbacks, densities, etc. in its Shoreline Master Program. A variance may be requested from those standards. Shoreline Variances are written permits issued by local governments and are sent to Ecology for approval or disapproval. Ecology may add its own conditions to a variance during its review process.

Activity which requires the Permit:

Determined by local government and specified in their Shoreline Master Program.

Fees:

Determined by local government. Ecology does not charge any fee for reviewing Shoreline Variances.

Application Requirements:

Determined by local government. The minimum required information is listed in WAC 173-27-180.

Permit Dependencies:

Compliance with the State Environmental Policy Act (SEPA) may be required.

Permit Time Frame:

Determined by local government.

Determined by local government. After receiving a complete variance permit from local government, Ecology Permit Review Process:

Permit Duration:

Determined by local government in accordance with RCW 90.58.143.

Permit Appeal Information:

Each local government may establish its own appeal process. Appeals may then be made to the Shorelines Hearings Board (SHB) within 21-days of the "filing date" as defined in RCW 90.58.140(6). SHB decisions may be appealed to the courts.

Notes/Comments:

Variance applications are reviewed against criteria in the local Shoreline Master Program and state criteria in WAC 173-27-170.

Legal Authority

Chapter 173-27-170 WAC
Chapter 90.58.100(5) RCW

Links:

[RCW 90.58.180](#)
[RCW 34.05.510 et seq.](#)
[City & town governments](#)
[Shoreline Management Act home page](#)
[Shorelines Hearings Board](#)
[County governments](#)

Statewide Contact:

Local Government - City or County

* Permit information last updated 1/15/03

Solid Waste (Handling) Permit

Operation of a solid waste facility (landfill, transfer station, recycling facility, etc.) requires a Solid Waste Permit. These permits are issued by local health departments, and are conditioned to ensure that these facilities meet state and local laws governing solid waste. Because requirements will vary by jurisdiction, the local health department should be contacted for more information.

Activity which requires the Permit:

Operation of a solid waste facility (landfill, transfer station, recycling facility, etc.)

Fees:

Variable, contact local health department

Links:

[Department of Health](#)

Statewide Contact:

Department of Health

1511 - 3rd Avenue, Suite 719

Seattle, WA 98101

Telephone: (206) 464-7670

Toll Free: (206) 464-7059

* Permit information last updated 10/1/98

Subdivision Approvals

Local governments, through ordinances, have primary authority to regulate the dividing of land for residential or other purposes. The 1990 Growth Management Act requires that local governments, as part of the subdivision approval process, make written findings that appropriate provisions have been made for the necessary infrastructure to support the subdivision. Depending upon the size of the subdivision, these findings may be made by either the local legislative body or administrative agency. Included in the list of items to be verified is potable water supplies. This may require a permit from Ecology.

Requirements established through local ordinance include minimum lot size, lot configuration, frontage, streets, utilities, site design, and open space. Common types of subdivisions include:

1. Large lot subdivisions. Regulates the subdivision of land into large parcels, usually 5 acres or greater. Requirements are typically less stringent than plat requirements. This type of plat is approved administratively. This application may require the filing of surveys with the short plat map.

2. Short Plat. Regulates the subdivision of land into four or fewer lots (or, in some cities, nine or fewer). This application may also require the filing of surveys with the short plat map, and requirements are usually less stringent than plat requirements. This type of plat is approved administratively.

3. Regulates the subdivision of land when five or more lots are proposed (or, in some cities, 10 or more). This process requires a public hearing. Approval is generally given in two parts:

a. The preliminary plat review involves an approximate drawing of the proposed subdivision showing the number of lots planned, general layout of streets, lots, open space, and restrictive covenants. Approval of the preliminary plat is the go ahead to construct roads and lay utilities.

b. The final plat requires submittal of complete survey data and detailed plans illustrating building lots, street layout and design, location of utilities, and lands dedicated for open space and other public purposes. Lots cannot be developed until final plat approval is given. Usually roads and utilities must already be developed or a bond posted to assure their completion.

Activity which requires the Permit:

See Permit Description

Fees:

Variable, contact local government

Legal Authority

Growth Management Act

Subdivision Approval Statute

Growth Management Act - Subdivision Rules

Links:

[Cities and Towns](#)

[Counties](#)

Statewide Contact:

Local Government - City or County

* Permit information last updated 1/15/03

9. Pesticide Permits

Anyone interested in starting a business that involves selling or using pesticides (herbicides, insecticides, miticides, etc.) should contact the Washington State Department of Agriculture (WSDA) to determine if, and what type of, a license may be required.

Many people involved in the pesticide industry are required to obtain at least one of 9 different pesticide licenses issued by the WSDA, some of which are described in this section. A licensee may only perform the technical activities (agricultural weed control, aquatic weed control, structural pest control, etc.) for which they have been certified. A person becomes certified by passing the exam(s) requirements established by WSDA.

WSDA occasionally requires permits (as opposed to licenses) for applying certain pesticides. These permits generally cover certain geographical areas and times of the year. You will need to contact WSDA to determine if your situation requires a permit.

In addition to the WSDA's licensing requirements, the Department of Licensing requires that a business selling or distributing pesticides has a Pesticide Dealer endorsement to their Master Business License. To apply for this Master Business License, contact Business License Services at (360) 753-4401. Before this license can be issued, a Pesticide Dealer must confirm employment of a WSDA licensed Pesticide Dealer Manager.

Before pesticides are used in or near water, a permit (Water Quality Modification see page 40) from the Department of Ecology will likely be required. Some cities and counties also have special requirements related to pesticide use, so it is important to check with them especially when considering pesticide use in sensitive areas (wetlands, surface waters, groundwater recharge areas, etc.).

For additional information about licenses, contact WSDA's Pesticide Management Division - Toll Free (877) 301-4555.

Commercial Pesticide Applicator License

A commercial pesticide applicator's license, usually issued to an owner or manager, is required before operating any business that applies pesticides to the land of another. The commercial applicator must verify financial responsibility through an insurance liability policy or surety bond.

Activity which requires the Permit:

Engaging in the business of applying pesticides to land of another

Fees:

\$170 Yearly

Legal Authority

Chapter 16-228 WAC

Chapter 15.58 RCW

Chapter 17.21 RCW

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology

Office of Regulatory Assistance

Fax: (800) 917-0043

* Permit information last updated 3/3/03

Commercial Pesticide Operator License

Required for the employees of a commercial applicator who apply pesticides and who are not supervised by another commercial operator or the commercial applicator.

Activity which requires the Permit:

Applying pesticides to the land of another as an employee of a WSDA (Washington State Department of Agriculture)-licensed commercial applicator

Fees:

\$50 Yearly

Legal Authority

Chapter 16-228 WAC

Chapter 15.58 RCW

Chapter 17.21 RCW

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Agriculture

* Permit information last updated 5/22/03

Private Applicator License

Applying or supervising the use of a restricted-use pesticide on your own or your employer's property for the production of an agricultural commodity requires a private applicator license.

Activity which requires the Permit:

Applying or supervising the agricultural use of a restricted-use pesticide on land rented or owned by the applicator or applicator's boss.

Fees:

\$25 Yearly

Legal Authority

Chapter 16-228 WAC

Chapter 15.58 RCW

Chapter 17.21 RCW

Links:

[Office of Regulatory Assistance](#)

[Department of Agriculture](#)

Statewide Contact:

Department of Agriculture

* Permit information last updated 5/22/03

Private Commercial Applicators License

Applying, or supervising the application of a "restricted use" pesticide, on your land or your employer's land for other than the production of an agricultural commodity, requires a private commercial applicator's license (unless applying pesticides for agricultural purposes, see Private Applicator License).

Activity which requires the Permit:

Applying or supervising the non-agricultural use of a restricted-use pesticide on land rented or owned by the applicator or applicator's boss

Fees:

\$50 Yearly

Legal Authority

Chapter 16-228 WAC

Chapter 15.58 RCW

Chapter 17.21 RCW

Links:

[Office of Regulatory Assistance](#)

[Department of Agriculture](#)

Statewide Contact:

Department of Agriculture

* Permit information last updated 5/22/03

Public Pesticide Operator License

Government employees who apply restricted use or general use pesticides through motorized equipment in the course of their public employment are required to have a Public Pesticide Operator License.

Activity which requires the Permit:

Applying a pesticide as a government employee

Fees:

\$25 Yearly

Legal Authority

Chapter 16-228 WAC

Chapter 15.58 RCW

Chapter 17.21 RCW

Links:

[Department of Agriculture](#)

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Agriculture

* Permit information last updated 5/22/03

10. Waste and Toxic Substance Permits

Many of the state's regulations and reporting requirements associated with hazardous, dangerous, and solid waste are discussed in this section.

The Department of Ecology has several programs devoted to managing waste to protect public health and the environment, and to promote waste reduction and recycling. These programs include the Hazardous Waste and Toxics Reduction, Solid Waste Services, Toxics Cleanup, and the Nuclear Waste Program. Certain wastes are also regulated by local governments, often through their environmental health or solid waste divisions.

Ecology and local governments are working together to improve waste management programs by learning more about ground water monitoring, sludge handling, ash management, illegal disposal, and other waste related issues. Over 40 cities and counties have worked with Ecology to establish plans for addressing small quantities of hazardous wastes from businesses and households.

The following Discussion is separated into three categories: Solid Waste, Hazardous/ Dangerous/Toxic Waste, and Spill/Release Reporting.

Certification of Inspectors of Solid Waste Incinerator and Landfill Facilities

Inspector certification is required for public employees who inspect and determine compliance of solid waste landfill or incinerator operations. These public employees must successfully complete the same training and examination process as landfill and incinerator operators. Inspectors must also receive training relevant to inspection procedures.

Currently, required courses are offered through private instructors for a fee of approximately \$600. As an alternative, Ecology is exploring the idea of making training materials available for self instruction. The feasibility of this concept and possible cost of instructional materials have not yet been determined.

Activity which requires the Permit:

Working for a public agency as a solid waste incinerator or landfill facility inspector

Fees:

Application Fee: \$50 Recertification Fee: \$200.00 for a 3 year certification

Notes/Comments:

Contact the Solid Waste Services Program, Development Section at the Department of Ecology.

Legal Authority

Chapter 173-300 WAC
Chapter 70.95D RCW

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04

Certification of Operators of Incinerator & Landfill Facilities

The owner or operator in charge must be certified in the operation and maintenance of solid waste incinerators (excluding hog fuel burners and crematoria facilities), municipal waste landfills, problem waste landfills, special incinerator ash landfills or monofills, inert waste and demolition waste landfills, and all limited purpose solid waste landfills such as wood waste landfills.

Certification includes operator training courses and a written examination. Currently, required courses are offered through private instructors for a fee of approximately \$600. As an alternative, Ecology is exploring the idea of making training materials available for self instruction. The feasibility of this concept and possible cost of instructional materials have not yet been determined, but are being pursued.

Activity which requires the Permit:

Working as an operator of a solid waste incinerator or landfill fac

Fees:

Application Fee: \$50 Recertification Fee: \$200.00 for a 3 year certification

Notes/Comments:

Contact the Solid Waste Services Program at the Department of Ecology.

Legal Authority

Chapter 173-300 WAC

Chapter 70.95D RCW

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04

Dangerous Waste Treatment, Storage, and Disposal Facility (Hazardous Waste Treatment, Storage, and Disposal Facility)

Facilities that store, treat, and/or dispose of dangerous waste must obtain a Dangerous Waste Permit for any dangerous waste activities that do not meet the less-stringent generator requirements.

Activity which requires the Permit:

Treating, storing, and/or disposing of dangerous waste

Fees:

None

Application Requirements:

Chapter 173-303 Washington Administrative Code,
Publication 95-402 Dangerous Waste Permit Application Requirements for Facilities which Store
and/or Treat Dangerous Wastes in Tank Systems and/or Containers,
Part A form

Permit Dependencies:

Contact Ecology at least seven months before submitting an application. To submit an application, you must have demonstrated that the proposed facility and site meet stringent siting criteria. You also must meet notification requirements. Siting criteria require setbacks from certain areas, such as residences, and exclude facilities from other areas, such as floodplains.

Permit Time Frame:

It normally takes several years, and a great deal of technical exchange between the applicant and Ecology, to complete the permit process.

If Ecology determines that the proposed facility and site meet siting criteria, then you must submit a detailed Permit Review Process:

Legal Authority

Chapter 173-303 WAC
Chapter 70.105 RCW

Statewide Contact:

Department of Ecology
Hazardous Waste & Toxics Reduction Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600

Telephone: (360) 407-6700

Toll Free: (360) 407-6715

* Permit information last updated 1/15/03

Hazardous Substance Release Notification Requirement (MTCA)

The Model Toxics Control Act (MTCA) is a citizen-mandated hazardous waste cleanup law. Under the MTCA regulations, owners and operators must report to Ecology any release or threatened release of a hazardous substance on their site. A verbal or written report must be made within ninety days of discovery. This notification requirement applies to both current and historical releases.

After a site is ranked by Ecology, it is placed on the Hazardous Sites List. Either Ecology or the person responsible for the cleanup of a site on this list can initiate action that may lead to a consent decree, agreed order, or an enforcement order. Under these options, Ecology oversees activities such as site investigations, public involvement, cleanup, and monitoring.

The MTCA regulations do allow for site owners, or other responsible persons, to clean up a site themselves, without Ecology's oversight or approval. These independent cleanups must be reported to Ecology (see reporting requirements described below).

Activity which requires the Permit:

Discovering a historical release, or a situation that could cause a release

Fees:

No fee for reporting release

Legal Authority

Chapter 173-340 WAC

Chapter 70.105D RCW

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04

Hazardous Waste Release Notification (Spills or Releases)

Prompt notification to Ecology is required when spills or releases of hazardous substances occur that have the potential to impact human health or the environment. Responsibility for reporting spills lies with the person who spills or releases the substance, however, any person aware of such spills is encouraged to contact Ecology.

Activity which requires the Permit:

Spilling or releasing a hazardous substance

Fees:

None

Legal Authority

Chapter 173-303 WAC

Chapter 173-340 WAC

Chapter 70.105 RCW

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04

Model Toxics Control Act-Reporting Independent Remedial Actions

Any person who conducts an independent remedial action must submit a written report to Ecology within ninety days of completing the action. (Please see discussion of underground storage tanks (UST) for requirements specific to USTs) A limited number of these reports are reviewed by Ecology to evaluate, as a whole, the independent remedial actions conducted.

Those who conduct independent remedial actions may voluntarily request Ecology's review of their report through the Voluntary Cleanup Program (VCP). This program helps people who need a timely review of their cleanup action, including people who need a bank loan, and those who are selling or developing their property. It also helps people who are petitioning Ecology for removal of their site from the Hazardous Sites List.

Activity which requires the Permit:

Conducting an independent remedial action

Fees:

Report Reviews Conducted through the Voluntary Cleanup Program: Refundable Deposit \$500.00
Costs are billed at an hourly rate of \$50 to \$100 depending on the type of expertise required for the site.

Notes/Comments:

Contact the Toxic Cleanup Program at the Department of Ecology.

Legal Authority

Chapter 173-340 WAC
Chapter 70.105D RCW

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology
300 Desmond Drive
Lacey, WA 98503
Telephone: (360) 407-6000

* Permit information last updated 2/24/04

RCRA Site ID Number (Resource Conservation and Recovery Act)

The required Resource Conservation and Recovery Act (RCRA) Site ID# is an identifying number used for tracking wastes from their point of generation to final disposal. The Uniform Hazardous Waste Manifest system (EPA Form 8700-22) is the primary mechanism to ensure that wastes reach their intended destination. The transporter and the receiving facility signatures on the manifest you have prepared and sent with the shipment provide some assurance that the waste has been properly handled.

Activity which requires the Permit:

Generating and/or transporting hazardous waste

Fees:

There are no fees for a RCRA Site ID Number.

Online Application:

The application for an individual permit, which is called Notification of Dangerous Waste Activities FORM 2, is online and can be downloaded at
<http://www.ecy.wa.gov/programs/hwtr/reportingrequirements.html>.

Application Requirements:

Complete Notification of Dangerous Waste Activities FORM 2.

Permit Dependencies:

You will need a RCRA Site ID number if you generate over 220 pounds or accumulate more than 2200 pounds of dangerous waste at any one time (for waste with a 220 pound quantity exclusion limit) or generate over 2.2 pounds (for a dangerous waste with at 2.2 pound quantity exclusion limit). This ID number is also required for those who transport, transfer, recycle, treat, store, or dispose of regulated quantities of hazardous waste.

Permit Time Frame:

It can take up to three weeks to obtain the ID number.

Notes/Comments:

A dangerous waste is solid or liquid material with certain properties that could pose dangers to human health or the environment.

Owners and operators of facilities with active RCRA Site ID numbers must report each year on their waste management activities. Dangerous waste generators must comply with more stringent requirements if they generate or accumulate larger amounts of dangerous waste.

Dangerous waste includes substances defined as hazardous by federal statute and other wastes regulated only under state laws and rules. For specific questions regarding waste, contact a Hazardous Waste Specialist in the Ecology Office in your area. Northwest Regional Office (425)649-7000, Southwest Regional Office (360)407-6300, Central Regional Office (509)575-2490 and Eastern Regional Office (509)329-3400.

Legal Authority

Chapter 173-303 WAC

Chapter 70.105 RCW

Statewide Contact:

Department of Ecology

Hazardous Waste & Toxics Reduction Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6700

Toll Free: (360) 407-6715

* Permit information last updated 1/15/03

Statewide General Permit for Biosolids Management

These permits cover land application of biosolids and other related processes and aspects of operations related to biosolids.

Activity which requires the Permit:

Treat or change the quality or character of sewage or sewage sludge (biosolids) Contact/Agency Department of Ecology, Biosolids Coordinator 360-407-6107. Some local health departments have

authority to issue these permits.

Fees:

Fees vary depending upon size of treatment plant.

Notes/Comments:

Some local health departments have authority to issue these permits.

Legal Authority

Chapter 173-308 WAC

Chapter 70.95J RCW

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04

Underground Injection Control Registration

A state registration form, available from the Department of Ecology, must be completed by people who have installed or intend to install an underground injection control (UIC) well. A drywell, infiltration trench with perforated pipe, subsurface infiltration gallery and large on site septic system are some examples of UIC wells that need to register.

Activity which requires the Permit:

Permits may be required, but would be determined on a site by site basis.

Fees:

None

Notes/Comments:

Contact the Water Quality Program at the Department of Ecology.

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology
Water Quality Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6400
Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

Underground Storage Tank Notification Requirements

A state notification form, available from the Department of Ecology must be completed by people who have installed or intend to install an underground storage tank (UST).

Notification is required 30 days before putting into service a new tank. Tanks existing before federal regulation came into effect were to have been reported by May 8, 1986. Any such tanks for which a notification form has not been completed should be reported immediately.

Activity which requires the Permit:

Installing an underground storage tank, and/or having an existing underground tank on site.

Fees:

Variable

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology
Toxics Cleanup Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-7170
Toll Free: (360) 407-7154

* Permit information last updated 1/15/03

Waste Tire Carrier License or Waste Tire Storage Site Owner

Carrier License: A Waste-Tire Carrier License is required in most circumstances when hauling more than five waste tires to a recycler or storage site except under circumstances described in WAC 173-350-350(1)(b).

Site Owner License: Before a state license can be issued to operate a waste-tire storage site, a solid waste handling permit must first be obtained from the appropriate local jurisdictional health authority. Whenever a facility is permitted at the local level, a Waste-Tire Storage Site Owner License may also be required.

Both the waste tire carrier and waste tire storage licenses are processed through the Washington State Department of Licensing, Unified Business Identifier (UBI) licensing program. Decisions regarding these permits are made by Ecology based on compliance with minimum standards established to ensure the safe and proper storage, control, recovery, and recycling of tires.

Activity which requires the Permit:

Hauling waste tires and/or owning or operating a waste tire storage site.

Fees:

Application Fee:\$15 Waste Tire Carrier License:\$200, and \$50 for each additional vehicle to be used for waste tire transport. Waste Tire Storage Site Owner License: \$250 per location. See Notes for Bond requirement.

Notes/Comments:

Performance Bond: A \$10,000 performance bond is required before a waste tire carrier license can be issued. A \$10,000 performance bond may be required for waste tire storage activities, depending on the adequacy of the financial assurance instrument established as part of the solid waste permitting process. The bond form is available from the Department of Ecology's Solid Waste and Financial Assistance Program Headquarters Office. The signed bond, or other financial security must be sent to the Department of Ecology, Headquarters, Solid Waste and Financial Assistance Program.

Legal Authority

Chapter 173-350-350 WAC
Chapter 70.95 RCW

Links:

[Office of Regulatory Assistance](#)
[Department of Licensing, Business License Services](#)

Statewide Contact:

Department of Ecology
300 Desmond Drive
Lacey, WA 98503
Telephone: (360) 407-6000

* Permit information last updated 2/24/04

11. Water Quality Permits

The people of Washington State are supported in their goal for clean water by many state laws and regulations, including the state's Water Pollution Control Act (Chapter 90.48 RCW), which explains that Washington State's policy is to ". . . maintain the highest possible standards to insure the purity of all waters of the state consistent with public health and public enjoyment . . . the propagation and protection of wildlife, birds, game, fish and other aquatic life, and the industrial development of the state." Ecology is also delegated by EPA to implement the National Pollutant Discharge Elimination System (NPDES) permit program from the Clean Water Act.

In general, the discharge of any wastewater, except domestic wastewater going to a municipal treatment plant, requires a wastewater discharge permit. This includes stormwater from industrial and construction sites and some municipal sites. Discharges to surface waters require a NPDES individual permit or coverage under a general NPDES permit. Discharges to ground and industrial discharges to a municipal treatment plant require a State wastewater permit.

Construction of any wastewater treatment facility needs Ecology approval (Chapter 90.48 RCW and 173-240 WAC). Because these same facilities may or may not require an individual wastewater discharge permit, the project should be discussed with Ecology as project planning begins.

Other permits or authorizations are required for reuse of treated wastewater, underground injection, construction in the water, laboratory analysis of material if the data goes to Ecology, and operating a wastewater treatment plant.

Laboratory Accreditation

Analysis of environmental samples which results in data to be submitted to the Department of Ecology, or of drinking water data submitted to the Department of Health or local health authorities, must be analyzed by an accredited laboratory.

To become accredited, a lab must submit to Ecology a comprehensive application and quality assurance manual, and pay a fee. Also, the lab must successfully analyze blind proficiency testing (PT) samples and undergo an on-site assessment. Continued accreditation requires successful completion of semiannual PT audits and onsite assessments every three years.

Activity which requires the Permit:

Analysis of environmental samples for data to be submitted to Ecology or analysis of drinking water for data submitted to the Department of Health or to local health authorities.

Fees:

Ranges from \$65 to \$7,500 depending on number and complexity of tests for which accreditation is requested.

Notes/Comments:

Can also contact the Lab Accreditation Section at Manchester Lab at 360-895-6144, fax 895-6180 or by email at pbra461@ecy.wa.gov.

Legal Authority

Chapter 173-216 WAC

Chapter 173-220 WAC

Chapter 173-226 WAC

Chapter 173-340 WAC

Chapter 173-50 WAC

Chapter 43.21A.230 RCW

Links:

[Laboratory Accreditation](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04

NPDES Construction Stormwater General Permit

A permit is required for all soil disturbing activities (including grading, stump removal, demolition), where one or more acres will be disturbed, and have a discharge of stormwater to a receiving water (e.g., wetlands, creeks, unnamed creeks, rivers, marine waters, ditches, estuaries), and/or storm drains that discharge to a receiving water. If all stormwater is retained on site, but detention facilities need to be constructed permit coverage is required.

Activity which requires the Permit:

Construction activity on a site of one acre or greater

Fees:

\$353 - \$364

Links:

[Stormwater Construction Permits - 5 acres or more](#)

[Stormwater Construction Permits - 1 to 5 acres](#)

Statewide Contact:

Department of Ecology
Water Quality Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6400
Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

NPDES General Permit Coverage

The discharge of pollutants into the state's surface waters is regulated through NPDES permits. Ecology issues these permits under authority delegated by the U.S. Environmental Protection Agency (EPA). General permits are written to cover a category of dischargers instead of an individual facility. Application for coverage under a general permit is by submitting a "notice of intent" and is much less rigorous than applying for an individual permit. General permits may place limits on the quantity and concentration of pollutants allowed to be discharged and typically require operational conditions called Best Management Practices. To ensure compliance with these limits and conditions, general permits may require monitoring and reporting. In most cases, general permits have a five year life span. Coverage under a general permit is typically for the life of the permit but may be year-to-year.

General permits and coverage under a general permit may be issued from an Ecology Regional Office or from the Headquarters Office.

More information on NPDES general permits is available, including applications for coverage.

Activity which requires the Permit:

Point source discharge of pollutants into surface waters and belonging to a category of discharger for which Ecology has developed a General NPDES permit.

Fees:

Fees are variable and are set by regulation (Chapter 173-224 WAC)

Notes/Comments:

If this permit does not seem to fit your project you may need an NPDES Individual Permit, see links for additional information.

Legal Authority

Chapter 90.48 RCW
Clean Water Act

Links:

[Wastewater discharge permits](#)
[NPDES Individual Permit](#)

Statewide Contact:

Department of Ecology
Water Quality Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6400
Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

NPDES Individual Permit

The discharge of pollutants into the state's surface waters is regulated through NPDES permits. Ecology issues these permits under authority delegated by the U.S. Environmental Protection Agency (EPA). This permit is typically issued to a commercial or industrial facility, or municipality for discharge of wastewater to surface waters. An application is required and new facilities are required to produce an engineering report. Permits typically place limits on the quantity and concentration of pollutants that may be discharged. Some limits are set by regulation while others may be set on a case-by-case basis. Permits may also require operational conditions called Best Management Practices. To ensure compliance with these limits and conditions, permits require monitoring and reporting. In most cases, individual permits have a five-year life span.

Activity which requires the Permit:

Point source discharge of pollutants into surface waters.

Fees:

Fees are variable and set by regulation

Legal Authority

Chapter 173-220 WAC
Chapter 90.48 RCW
Clean Water Act

Links:

[Wastewater Permits](#)

Statewide Contact:

Department of Ecology
Water Quality Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600

Telephone: (360) 407-6400

Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

NPDES Industrial Stormwater General Permit Coverage

Permit coverage is required for industrial facilities that have specific Standard Industrial Classification (SIC) codes, if they have a discharge of stormwater from their industrial areas to a receiving water of the state, or to storm drains that discharge to a receiving water.

Regardless of the SIC code, some industries may be required to seek permit coverage for areas of their industrial site that have a potential or are causing an impact to receiving waters. No permit is required if you treat and retain all the stormwater on site (discharge to ground). If you discharge all the stormwater to a Combined Sewer (which goes to the wastewater treatment plant), you are not required to apply for coverage

Activity which requires the Permit:

Industrial Facilities: Public or private operation of an industrial facility with a stormwater discharge to surface waters or a storm sewer.

Fees:

Annual fee of \$353

Legal Authority

Cleanwater Act

Links:

[Office of Regulatory Assistance](#)

[NPDES Industrial Stormwater General Permit](#)

Statewide Contact:

Department of Ecology

Water Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6400

Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

NPDES Municipal Stormwater General Permit

This permit is required for municipalities with separate storm sewer systems that discharge to surface waters.

Activity which requires the Permit:

Generally this permit is required of all cities defined as an urban area by the U.S. Census Bureau and for designated cities of over 10,000 population located outside of urban areas.

Fees:

\$22,699 per year, flat fee for Phase 1 municipalities.

Legal Authority

Chapter 173-224 WAC
Chapter 173-226 WAC
Chapter 90.48 RCW
Cleanwater Act

Links:

[Office of Regulatory Assistance](#)
[Phase 1 municipal stormwater](#)
[Phase 2 municipalities](#)

Statewide Contact:

Department of Ecology
Water Quality Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6400
Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

On-Site Sewage Disposal Permit

Businesses and residences that locate outside areas served by sewer systems often treat and dispose of sanitary sewage on property where it originates through septic tanks and subsurface drain fields. Plans for these systems are reviewed and approved by local health departments, or the department of Health (Health) or Ecology, depending on the size and nature of the system.

Local health departments issue permits for on-site sewage with design flows, at any common point, that are less than 3,500 gallons per day.

Health reviews and approves plans and specifications for on-site sewage systems with design flows, at any common point, between 3,500 gallons per day and 14,500 gallons per day. Local health departments can take on this responsibility with a contractual agreement with Health.

Health also reviews proposals for land application of municipal wastewater and reviews comprehensive sewer plans. Local health departments are responsible for reviewing and approving sludge utilization projects.

Ecology reviews and approves plans and specifications for on-site systems exceeding 14,500 gallons per day, all systems receiving state or federal construction grants under the Clean Water Act, and systems using mechanical treatment or lagoons with ultimate design flows above 3,500 gallons per day. Ecology generally requires public ownership, operation, and maintenance of domestic wastewater (sewage) facilities.

In certain, mostly rural, areas, industrial and commercial operations may use on-site systems for treatment and disposal of process wastewater [as opposed domestic wastewater (sewage)]. Ecology is the only agency with jurisdiction over this discharge and may require state discharge permits for either domestic or industrial/commercial on-site systems.

Activity which requires the Permit:

Disposal of sanitary sewage through septic tanks and drainfields.

Fees:

Local health departments - fee varies

Notes/Comments:

Contact Local Health Department and the Department of Ecology.

Legal Authority

Chapter 173-240 WAC

Chapter 246-272 WAC

Chapter 43.20 RCW

Chapter 90.48 RCW

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology
300 Desmond Drive
Lacey, WA 98503
Telephone: (360) 407-6000

* Permit information last updated 2/24/04

State Waste Discharge Permit

Discharges of pollutants to land require a State Waste Discharge Permit. Discharges from industrial facilities to municipal wastewater treatment plants require a State Waste Discharge Permit if they haven't been issued a Pretreatment discharge permit by the municipality.

State Waste Discharge Permits typically place limits on the quantity and concentration of pollutants that may be discharged. Some limits are set by regulation while others may be set on a case-by-case basis. Permits may also require operational conditions called Best Management Practices. To ensure compliance with these limits and conditions, permits require monitoring and reporting. In most cases, permits have a five-year life span.

For more information see [Permits](http://www.ecy.wa.gov/programs/wq/permits/index.html)

Activity which requires the Permit:

Planned discharge of wastewater to the ground or discharge of wastewater, other than domestic sewage, to municipal treatment plant.

Fees:

Variable and set by regulation (Chapter 173-224 WAC)

Online Application:

The application for an individual permit is online and can be downloaded at <http://www.ecy.wa.gov/programs/wq/wastewater/index.html#potw>.

Legal Authority

Chapter 173-216 WAC
Chapter 90.48 RCW

Statewide Contact:

Department of Ecology
Water Quality Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600

Telephone: (360) 407-6400

Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

Underground Injection Control Registration

The Underground Injection Control Program (UIC) protects ground water quality by regulating the disposal of fluids into the subsurface. Most UIC wells or injection wells are simple devices that allow fluids into the shallow subsurface under the force of gravity. For example, in Washington State thousands of UIC wells, mainly dry wells, are located along parking lots and roads to manage stormwater runoff. The potential for ground water contamination from UIC wells can occur and is dependent on the well construction and location, the volume and quality of the fluids injected and the hydrogeologic setting

Activity which requires the Permit:

Registration is required for disposal of fluids into an injection well

Fees:

None

Legal Authority

Safe Drinking Water Act

40 CFR Part 144

Links:

[Underground Injection Control Program](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04

Waste Discharge Permit-Reclaimed Water

Four water reuse categories are included under the state Reclaimed Water Use Act: reclaimed water, greywater, agricultural industrial process water and industrial reuse water. Each is treated somewhat differently under the law. The law authorizes Ecology or Department of Health (DOH) to issue a single permit to the generator of the reclaimed water. Usually Ecology issues the permit in conjunction with a state or NPDES wastewater discharge permit and includes the DOH requirements within the permit. The permit establishes conditions assuring that the wastewater is 'adequately and reliably treated' so that as a result of the treatment, the effluent is no longer considered a wastewater under state law. The statute also exempts the use of the water from state appropriate water right permit requirements and gives the owner of the reclamation facility the exclusive right to the distribution and use of the water generated at the reclamation facility. The permit includes provisions assuring the water quality and governing the rate, the location and the purpose of use. Uses can include landscape or agricultural irrigation, recreational impoundments, commerce and industry, ground water recharge, streamflow augmentation, wetlands creation or enhancement and aesthetic features such as fountains and parks.

Activity which requires the Permit:

Using water reclaimed according to provisions of the State Reclaimed Water Use Act

Fees:

Ecology: The fee varies depending on the type of project

Legal Authority

Chapter 173-216 WAC

Chapter 173-224 WAC

Chapter 246-271 WAC

Chapter 43.20 RCW

Chapter 90.46 RCW

Chapter 90.48 RCW

Links:

[Water Reclamation and Reuse](#)

Statewide Contact:

Department of Ecology

Water Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6400

Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

Wastewater Plant Operator's Certificate

Wastewater Certification is required for (1) wastewater treatment plant operators in charge of a domestic wastewater treatment plant and (2) operators in charge of a shift at a domestic wastewater treatment plant.

To become certified, the applicant must meet minimum education and experience requirements and pass an exam. The exam, which has an application deadline, is held three times each year on the first Monday of February, June, and October.

Maintaining a valid certificate requires paying a yearly renewal fee and meeting a professional growth requirement every three years.

Activity which requires the Permit:

Being in charge of a domestic wastewater treatment plant or a shift at a plant.

Fees:

Certification by examination:\$50 to \$72, Certificate Renewal, per year: \$30

Legal Authority

Chapter 173-230 WAC

Chapter 70.95B RCW

Links:

[Wastewater Operator Certification Program](#)

Statewide Contact:

Department of Ecology

Water Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6400

Toll Free: (360) 407-6426

* Permit information last updated 1/15/03

12. Water Resource Permits

Washington State has what appears to be a bountiful water supply. But because of geographic and seasonal shortages, people cannot always have all the water they feel they need. Also, the total water supply is finite; there will never be more. Washington's population is increasing and along with this growth, there is an associated expanded water demand for all purposes -- domestic, industrial, agricultural, power and recreation. Water is also a critical component of fish habitat; significant efforts are being undertaken to protect and restore stream flows for fisheries. The permits listed in this section are part of Washington's water resource management strategy, a strategy intended to ensure an adequate and clean supply of water for all purposes.

Application for Change of a Water Right

With much of our water already allocated in Washington State, new water rights are increasingly difficult to obtain. As a result, more and more people are choosing to make changes to existing water rights. In many areas of the state, water is already claimed or over appropriated and no new water rights are being granted. The Washington Department of Ecology may consider changes to the following elements of an existing water right permit, certificate, or claim:

Place of use;
Point of diversion or withdrawal;
Additional point(s) of diversion or withdrawal; or
Purpose of use.

Activity which requires the Permit:

To change the place of use, point of diversion or withdrawal, add additional points of diversions or withdrawals, or purpose of use to an existing water right.

Fees:

Application: Varies depending on amount of water, \$10 minimum.

Online Application:

The application for an individual permit is online and can be downloaded at <http://www.ecy.wa.gov/biblio/981802wr.html>.

Legal Authority

Chapter 90.03.255 RCW

Links:

[Instructions for filling out application](#)
[Optional Letter Size Application Form](#)

Statewide Contact:

Department of Ecology
Water Resources Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6600
Toll Free: (360) 407-7162

* Permit information last updated 1/15/03

Dam Safety Construction Permit

A Dam Safety Construction Permit is required before constructing, modifying, or repairing any dam or controlling works for storage of 10 or more acre-feet of water, liquid waste, or mine tailings. This requirement may apply to dams and storage lagoons for: flood control; domestic or irrigation water; domestic, industrial, or agricultural wastes (including animal waste); and mine tailings.

The applicant must submit plans and specifications to Ecology for review and approval. These must be prepared by a qualified professional engineer and carry the engineer's signature and seal. Permit processing time averages from 6 to 8 weeks, but varies depending on project complexity. Ecology also inspects the construction of all dams to reasonably secure safety of life and property.

Activity which requires the Permit:

Constructing, modifying, or repairing any dam or controlling works for storage of 10 or more acre-feet of water, waste, or mine tailings.

Fees:

Variable

Online Application:

The application for an individual permit is online and can be downloaded at <http://www.ecy.wa.gov/pubs/ecy07038.pdf>.

Legal Authority

Chapter 173-175 WAC

Links:

[Operation and Maintenance Plan](#)
[Simplified Emergency Action Plan](#)
[Declaration of Construction Completion](#)

Statewide Contact:

Department of Ecology
Water Resources Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6600
Toll Free: (360) 407-7162

* Permit information last updated 1/15/03

Drinking Water Operating Permit

Drinking Water Operating Permits are required for Group A public water systems. These are systems that either have 15 or more services or serve an average of 15 or more people a day for sixty or more days in a calendar year.

Completed applications, generated by Department of Health computers using information provided to the Water Systems Inventory, are mailed to system owners. Owners must sign and return these applications along with the application fee within 70 days.

After receiving the signed application and fee, Health issues a permit that is colored to signify system adequacy. A red permit means that a county should not issue subdivision approval or building permits to property served by the system. A green permit means the system is adequate, and yellow indicates that the system is conditionally adequate. The color is assigned based on evaluation of system performance against seven State Board of Health Drinking Water Regulation requirements.

On average, permits are issued 60 days after Health receives a signed application and fee; state law requires a decision within 120 days.

Activity which requires the Permit:

Operating a public water system that has 15 or more services or serves more than 15 people a day for more than sixty days a year.

Fees:

See Department of Health, Variable based on the number of service connections

Online Application:

The application for an individual permit is online and can be downloaded at http://www.doh.wa.gov/ehp/dw/Our_Main_Pages/opcertificationsmsysrain.htm.

Legal Authority

Chapter 246-294 WAC
Chapter 70.119A RCW

Statewide Contact:

Department of Health
Office of Drinking Water
Agricultural Building 3
PO Box 47822
Olympia, WA 98504

Telephone: (360) 753-3466

Toll Free: (360) 586-5529

* Permit information last updated 10/1/98

Permit to Withdraw or Divert Surface or Ground Water (Application for a New Water Right)

The waters of Washington State collectively belong to the public and cannot be owned by any one individual or group. Instead, individuals or groups may be granted rights to use them. A water right is a legal authorization to use a predefined quantity of public water for a designated purpose. This purpose must qualify as a beneficial use. Beneficial use involves the application of a reasonable quantity of water to a non-wasteful use, such as irrigation, domestic water supply, or power generation, to name a few. An average household uses about 300 gallons of water per day.

Washington State law requires certain users of public waters to receive approval from the state prior to use of the water - in the form of a water right permit or certificate. Any use of surface of water (lakes, ponds, rivers, streams, or springs) which began after the state water code was enacted in 1917 requires a water-right permit or certificate. Likewise, ground-water withdrawals from 1945 onward, when the state ground-water code was enacted, require a water-right permit or certificate, with the following exceptions:

Use of 5000 gallons per day or less for:

Stock watering

Single or group domestic purposes

Industrial purposes

Watering a lawn or non-commercial garden that is not larger than one-half acre

Activity which requires the Permit:

To withdraw water except as listed above.

Fees:

Application: Varies depending on amount of water, \$10 minimum.

Online Application:

The application for an individual permit is online and can be downloaded at
<http://www.ecy.wa.gov/pubs/ecy040114.pdf>.

Legal Authority

Chapter 90.03 RCW

Chapter 90.44 RCW

Links:

[Instructions for Completing Application](#)

[Optional Letter Size Application Form](#)

Statewide Contact:

Department of Ecology

Water Resources Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6600

Toll Free: (360) 407-7162

* Permit information last updated 1/15/03

Reservoir Permit

A reservoir permit is required before constructing any barrier across a stream, channel, or water course, if the barrier will create a reservoir. A reservoir is defined as a dam or dike that will store water to a depth of 10 or more feet at its deepest point, or one that will retain 10 or more acre-feet of water.

Reservoir permit applications require information on the use and capacity of the reservoir, and a legal description of the location of the structure. Processing time varies depending on project complexity. The process requires publication of a legal notice for two succeeding weeks.

Normally, a reservoir permit application is accompanied by an application for a permit to use water. This application describes the intended beneficial uses of water that will be withdrawn from the reservoir. Unless otherwise specified, a reservoir permit will allow the permittee to fill the reservoir once a year. The permit specifically states the period during which the reservoir is filled. Any entity proposing to

Activity which requires the Permit:

Constructing a barrier across a stream, channel, or water course if the barrier will create a reservoir of a certain size.

Fees:

Variable

Online Application:

The application for an individual permit is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy040160.html>.

Legal Authority

Chapter 90.03.370 RCW

Links:

[Letter size Permit Application](#)

[General Information Relative to Reservoir Permits](#)

Statewide Contact:

Department of Ecology

Water Resources Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6600

Toll Free: (360) 407-7162

* Permit information last updated 1/15/03

Water System Construction and Operation Approval

The Department of Health has review and approval authority over water system plans, project reports, and construction documents for new public drinking water systems and alterations or additions to existing systems. In many areas, the local health department actually does the review and approval for smaller systems.

Public water systems are defined as systems that furnish water to two or more service connections for human consumption and domestic use. Commercial, industrial, governmental, and irrigation water supplied by the system are also included in this definition. The Public Water Supply Approval is not required for water supplies serving single family residences.

The three part approval process begins with review of a comprehensive plan for the whole system, followed by justification and design review for a specific project, and then detailed construction documents. Upon project completion, the professional engineer assigned to the project signs a document certifying that the project was constructed according to approved plans.

As part of this planning process, Ecology's Water Resources Program coordinates review and approval of water system plans and water conservation flows with the Department of Health's (DOH) Drinking Water Program. DOH will withhold approval of water system plans until Ecology has concurred with the water conservation plan. Ecology's decisions must be consistent with state-approved water system plans and locally approved land use plans.

Contact: Washington Department of Health or Local Health Department
Statutory Authority

Furnishing water to two or more service connections for human consumption and domestic use.

Fees:

Fees vary depending on type of approval, system class, and number of services.

Legal Authority

Chapter Chapter 246-291 WAC

Chapter Chapter 246-293 WAC

Chapter Chapters 246-290 WAC

Chapter Chapter 43.20A RCW

Statewide Contact:

Department of Health

Office of Drinking Water

Airustrial Building 3

PO Box 47822

Olympia, WA 98504

Telephone: (360) 753-3466

Toll Free: (360) 586-5529

* Permit information last updated 10/1/98

Waterworks Operator Certification

Before working as a waterworks operator, a certificate must be obtained from the Department of Health.

Activity which requires the Permit:

Operating a waterworks.

Fees:

Variable. Refer to Department of Health

Online Application:

The application for an individual permit is online and can be downloaded at http://www.doh.wa.gov/ehp/dw/fact_sheets/Relevancy_of_Training.htm.

Statewide Contact:

Department of Health

Office of Drinking Water

Airustrial Building 3

PO Box 47822

Olympia, WA 98504

Telephone: (360) 753-3466

Toll Free: (360) 586-5529

Well Construction and Operator's License

A Water Well Construction and Operator's License is required for all drilling activities, including developing water wells, monitoring wells, and biotech soil borings. Two situations that do not require this license are (1) when drilling on a your own property no more than once every two years, and (2) when drilling is conducted by a engineer registered in Washington State, provided construction and abandonment requirements are met.

To qualify for the license, the applicant must have at least two years of experience with a licensed well driller (or qualifying experience), and pass a written exam administered by Ecology.

All wells constructed and/or recommissioned must meet the minimum standards for construction and maintenance of wells as outlined in Chapter 173-160 WAC. A Notification Fee and documentation of well construction in the form of a Start Notification must be provided to Ecology before construction begins, and a well log filed upon completion.

Activity which requires the Permit:

Drilling activities including developing water wells, monitoring wells, and biotech soil borings.

Fees:

Variable

Online Application:

The application for an individual permit is online and can be downloaded at <http://www.ecy.wa.gov/pubs/ecy050121b.pdf>.

Legal Authority

Chapter 18.104 RCW

Links:

[License Renewal Application](#)

[Resource Protection Well Report](#)

[Water Well Report](#)

[Notice of Intent Forms](#)

[Well Construction Operator Training License](#)

Statewide Contact:

Department of Ecology
Water Resources Program
300 Desmond Drive
PO Box 47600
Olympia, WA 98504-7600

Telephone: (360) 407-6600

Toll Free: (360) 407-7162

* Permit information last updated 1/15/03

13. Wetland Permits

If you anticipate working in lands that are transitional between open water and uplands or that may be periodically inundated or saturated, you may be dealing with wetlands. Wetlands perform numerous important functions including water quality improvement, flood peak reduction, and stream and groundwater recharge while providing essential fish and wildlife habitat. Numerous federal, state, and local laws affect the use and protection of wetlands.

Many of these requirements, which are discussed below, are mentioned elsewhere in this guide. Because discussions in other chapters may not focus on the regulation of wetlands as their primary purpose, it may not be clear to you that they apply to activities within wetlands. Where regulations discussed below are included in another chapter of this guide, the chapter is noted in parenthesis. Please note that case by case review is needed and you are advised to contact the appropriate agency before beginning your project.

You may be interested in receiving a copy of Ecology publications, Wetland Regulations Guidebook and How Ecology Regulates Wetlands. To obtain copies of these helpful documents, contact: Washington Department of Ecology, Publications Office, P. O. Box 47600, Olympia, Washington 98504, phone number (360)407-7472 or visit Ecology's Homepage.

Wetlands

If you anticipate working in lands that are transitional between open water and uplands or that may be periodically inundated or saturated, you may be dealing with wetlands. Wetlands perform numerous important functions including water quality improvement, flood peak reduction, and stream and groundwater recharge while providing essential fish and wildlife habitat. Numerous federal, state, and local laws affect the use and protection of wetlands.

Many of these requirements, which are discussed below, are mentioned elsewhere in this guide. Because discussions in other chapters may not focus on the regulation of wetlands as their primary purpose, it may not be clear to you that they apply to activities within wetlands. Where regulations discussed below are included in another chapter of this guide, the chapter is noted in parenthesis. Please note that case by case review is needed and you are advised to contact the appropriate agency before beginning your project.

You may be interested in receiving a copy of Ecology publications, Wetland Regulations Guidebook and How Ecology Regulates Wetlands. To obtain copies of these helpful documents, contact: Washington Department of Ecology, Publications Office, P. O. Box 47600, Olympia, Washington 98504, phone number (360)407-7472 or visit Ecology's Homepage.

Activity which requires the Permit:

See Permit Description

Fees:

Variable

Links:

[Office of Regulatory Assistance](#)

Statewide Contact:

Department of Ecology

300 Desmond Drive

Lacey, WA 98503

Telephone: (360) 407-6000

* Permit information last updated 2/24/04